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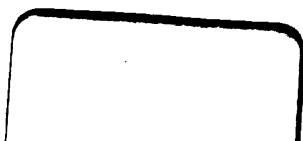
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Right Hon. William Pitt

AN
IMPARTIAL REPORT
OF THE
DEBATES
THAT OCCUR IN THE
TWO HOUSES OF PARLIAMENT.

WITH
SOME ACCOUNT OF THE RESPECTIVE SPEAKERS,

AND
NOTES AND ILLUSTRATIONS.

INCLUDING COPIES OF ALL
STATE PAPERS, TREATIES, CONVENTIONS, &c.

By WILLIAM WOODFALL,
AND ASSISTANTS.

VOL. I.

LONDON:

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1794.

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DIVISION

TO THE PUBLIC.

THE known importance of the present Session of Parliament, during which, from the critical and highly interesting situation of public affairs, subjects of the first magnitude must necessarily be brought under discussion in the Two Houses, induced persons, enterprising in spirit, and anxious to solicit the favour of the Public by efforts to merit it, to apply to the Editor to join them in an undertaking, which, if well executed, could scarcely fail of attracting general notice, and engaging general attention. Habituated, unremittingly, to visit the fountain-head of the best sources of political information, and feeling it mortifying altogether to forego the satisfaction he had for so many years derived from attendance, where, by the courtesy and liberal custom of modern times, it was admitted, with little or no restraint, the Editor listened to the proposition; but his promptitude to accept it was checked by the recollection of the extreme fatigue that returning to

his old line of service would occasion ; when, from a variety of natural causes, he was less able than at earlier periods of his life to encounter it ; and he felt a still stronger reason for entertaining doubts on the propriety of his committing himself to a responsibility, which no single individual, who meant to endeavour to do justice to the Public and himself, could answer. His difficulty, after no inconsiderable degree of reasoning, was solved by the plan being suggested of giving him assistants, so as to lighten his labour, and afford him an opportunity of rendering the whole work, by his revision, as far as his abilities would allow, more correct and better entitled to the public notice.

Candour and fairness the Editor has ever deemed due to those who thought him worthy their countenance ; and therefore it is, that he has stated circumstances, in the narrative of which he may appear, perhaps, too much “ the hero of his own little tale ;” but he is willing to face that imputation, when he reflects that his motive cannot be considered as improper or questionable.

The Debates that occur in the House of Commons, the House of the Representatives of the People, have
generally

generally most materially interested the public attention ; and the circumstance is not at all to be wondered at, because the bulk of British subjects are in the highest degree anxious to see how questions are parliamentarily discussed and disposed of, in the decision of which, their individual property is likely to be most immediately affected. Hence the newspapers are full of reports of what passes in the House of Commons, and their accounts of the debates in the House of Lords are generally less ample and satisfactory. A variety of other subordinate reasons operate to cause this effect, and those reasons have not unfrequently operated on the Editor, while he continued a newspaper reporter.

In the plan of the present work, his intention is to keep the favourite object of the Public, viz. the Debates in the House of Commons, fully before them, to have them reported as amply and as ably as possible, and to take care that impartiality is strictly preserved : But a great portion of this department will primarily rest with his assistants, because he cannot engage to be constantly present where the extreme and unavoidable length of attendance might materially prejudice his health, and prematurely deprive his family of the benefit of his existence. In the

House of Lords, where arguments altogether new in themselves, generally of equal, and sometimes of greater weight and importance than those urged in the House of Commons, are advanced, but escape the notice of the Public, he intends to pay particular attention.

By this arrangement he hopes to open to the reader a new field of information, and be able to furnish a system of Reports, more comprehensive in its design, and more complete in its execution, than any to which their notice has been lately invited.

Feb. 1, 1794

ADVERTISEMENT

TO THE READER,

IT may not be unnecessary to bring to the public mind the recollection of the peculiar situation in which the Session of Parliament commenced, on the opening of which the following Debates have arisen. The French Republic had declared war against Great Britain early in the last year, and British troops were instantly sent for the protection of Holland, under the command of his Royal Highness the Duke of York. Additional supplies were from time to time furnished, and in conjunction with the Dutch, the Austrians, and the Prussians, the campaign commenced, and was for a considerable time carried on with great splendour and success. Holland was rescued from the imminent danger that threatened her, many signal victories were gained by the Allies, several important places, of which the French had possessed themselves, were recovered, and some strong towns upon the frontier of France were taken. The Royalists in the French interior appeared in arms, resisted and attacked their tyrannic rulers; Toulon fell into the hands of the British and Spanish forces; and in different quarters of the globe the Allies had

of the war with unabating vigour and spirit. By a temperate perusal of the arguments advanced by different Gentlemen in support of their different opinions, the Public will be best enabled to form a judgment for themselves, and to that judgment we beg leave humbly to submit these Reports.

WOODFALL'S

PARLIAMENTARY REPORTS.

TUESDAY, JANUARY 21, 1794.

PURSUANT to his Majesty's Royal Proclamation, the Three Estates, constituting the Seventeenth Parliament of Great Britain, assembled at Westminster, when the Fourth Session of the same was opened with the usual solemnities for the despatch of public business.

At a quarter past three o'clock his Majesty came down to the House of Peers, and being seated on the Throne, and the Commons attending, his Majesty was pleased to open the Session with the following most gracious Speech :

My Lords and Gentlemen,

" The circumstances under which you are now assembled require your most serious attention.

" We are engaged in a contest, on the issue of which depend the maintenance of our constitution, laws, and religion ; and the security of all civil society.

" You must have observed with satisfaction, the advantages which have been obtained by the arms of the Allied Powers, and the change which has taken place in the general situation of Europe since the commencement of the war. The United Provinces have been protected from invasion ; the Austrian Netherlands have been recovered and maintained ; and places of considerable importance have been acquired on the frontiers of France. The re-capture of Mentz, and the subsequent successes of the Allied Armies on the Rhine, have, notwithstanding the advantages recently obtained by the enemy in that quarter, proved highly beneficial to the common cause. Powerful efforts have been made by My Allies in the south of Europe ; the temporary possession of the town and port of Toulon has greatly distressed the operations of My enemies ; and in the evacuation of that place, an important and decisive blow has been given to their naval power, by the distinguished conduct, abilities, and spirit of My commanders, officers, and forces, both by sea and land.

The Lord Chancellor, from the woolfack, then read His Majesty's Speech, and the Clerk afterwards at the table.

Lord Stair arose, and apologized for his inability to acquit himself in a manner adequate to the occasion. His Lordship said, he felt it not only to be his duty, but that of every man at the present important *crisis*, generally to impress and enforce the sentiments contained in his Majesty's most gracious Speech. He proceeded to draw a picture of the present posture of affairs in Great Britain and France. When he considered the misfortunes of a neighbouring country, where the miseries naturally attendant on anarchy and confusion continued to prevail, and contemplated the security afforded by the laws and the constitution of England, his Lordship said, he conceived that it would be degrading in the extreme to his country, to draw a comparison between the two nations. It was, indeed, unnecessary to say a single word on the advantages which the people of Great Britain enjoyed above those of all other countries. With respect to the sentiments breathed in his Majesty's most gracious Speech, they were such as must meet the approbation of their Lordships, when they considered the state of affairs with respect to France at the period when we engaged in the war, and what it was at present. When, in consequence of the aggression of the French, we originally engaged in hostilities against that distracted country, she was in possession of the Austrian Netherlands, had taken Nice and Savoy, a great part of the Palatinate, and threatened Italy with invasion. The other Powers of Europe were shocked and astonished at her schemes of ambition and aggrandizement, but, inspired by our interference, those Powers, with the additional hopes of retribution, engaged in the common cause of civilized society, and proceeded to prosecute the war against France with vigour. The Netherlands in consequence were recovered, and Valenciennes, which the National Convention admitted to be the key to France, surrendered to the combined efforts of the Allies, and the brave and spirited exertions of the British. Defeated on the Rhine, driven from Alsace, their armies destroyed, Valenciennes in the hands of the Austrians, and the Southern Provinces exhausted; in such a situation, we could not surely hesitate to prosecute the war with vigour. And as a further stimulus for the prosecuting another campaign, it should be remembered, that we have got a footing in St. Domingo, which, under the present able administration, he had little doubt would be followed by the complete conquest

of that great and valuable island. In addition, his Lordship said, he did not believe at this moment, that the French flag was flying in any one of the French settlements in the East Indies; and he must briefly remark, that the situation of the war at present bore the most prosperous and hopeful aspect for this country. The success of the British navy next demanded their Lordships attention. Since the memorable battle of La Hogue, a more distinguished or brilliant maritime enterprise had not been achieved, than that at Toulon by Lord Hood; not that the affair of La Hogue was in any degree of national importance to be compared to what this country had gained by the burning the enemy's ships at Toulon, and bringing several away in triumph. The destruction of the arsenal and naval stores of the second seaport in France was a circumstance that she could not repair for years. It must necessarily cripple her navy for the present and for years to come, and prove the most fatal blow that ever was struck at the French marine. These were facts that must have great weight with their Lordships, and impress on their minds the sentiments contained in his Majesty's most gracious Speech, and the impolicy of relinquishing a war in which France had suffered a greater series of mischiefs than she had experienced in any preceding war. It could not but be a pleasing consideration for their Lordships, that, while the French were thus crippled in their navy, ours had suffered little or nothing; in fact, our marine was never on a more respectable footing, nor better able to protect our coasts and trade from the depredations of our enemies. Another flattering object of contemplation to their Lordships and the whole kingdom, the Earl said, must be the striking contrast presented by a view of the internal state of the two countries. In France we could only cast our eyes on a picture of anarchy, blood, tyranny, and ruin: Agriculture and manufactures at a stand: Commerce disabled, and almost wholly destroyed: Property no longer safe, and private ease utterly at an end. In Great Britain all the blessings of a free constitution, enjoyed in their utmost extent: Agriculture and manufacture flourishing, our commerce vigorous and increasing; and although our manufactures had, as the necessary and inevitable consequence of war, received some temporary check, new markets were offering themselves, and new prospects of advantage arising. Above all, it was to be remembered, that our revenue rather increased than diminished, even under the acknowledged pressures and difficulties of war. His Lordship, therefore, flattered himself, that the House would be unanimous in accord-
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ing with his Majesty in his sentiments; since Great Britain had now the power of crushing France, and preventing her for years from troubling Europe. Her rulers, he observed, had acted with the most unparalleled barbarity in their own country, marking their progress uniformly with cruelty and devastation; they had razed Lyons, the first manufacturing town in France; they had determined that Toulon should share the same fate; but they spared Bourdeaux, on condition that every man of property should deliver up that property, under the pain of being massacred if he concealed his riches. La Vendée, one of the most fertile provinces of France, was *without a house or a human creature*, and every inhabitant attached to loyalty had fallen a victim to his principles. For twenty miles round that rich province had been ravaged; and throughout France there was no security for either liberty or life. Manufacturers were torn from their looms, and sent to the war; and the grain was seized from the poor, who were left to languish and starve, while their property, and the means of existence, were seized and distributed among the troops. In addition to these afflictions, her internal trade was destroyed; he wished, therefore, to ask the advocates for peace how it was possible, that a country, thus distressed, and so situated, could carry on a war against the combined powers and riches of Europe? Revenue, he insisted, she had not; and if she had, there were none who dare collect the imposts. Her lands had been sold and re-sold by her rulers; a second time they had plundered her churches; and as to the forced levies, many had reluctantly left Paris, but there were few who would return. War, he confessed, should not be the object of a commercial country; it was what every prudent and good statesman should avoid; but there were cases in which it would be madness not to have recourse to this extremity. And here he requested the attention of their Lordships, while he observed, that though our manufactures might receive a temporary check in consequence of the loss of the French markets, and the state of Europe on the continent, yet Spain, and every nation at war against France, was open to our manufactures, which would more than compensate for the losses sustained in consequence of the existing hostilities with that country. His Lordship said, he had been assured, by those who were the best enabled to give him information on the subject, that our trade to the East Indies was more productive than at any former period. Who then, he asked, would call upon the nation to relax in her efforts to subdue a nation, that had almost, from the wickedness

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ness of her own rulers, subdued herself? Was there any noble Lord, who, for the sake of a momentary and delusive repose, would risk the future security of a permanent peace? Who, he asked, would venture to wish for peace, when the consequences might be the introduction of anarchy and confusion into this happy country? If France were to depart from her recently avowed principles, if she would disavow her declared design of meddling with the constitution and government of other nations, every friend to his country would wish to make peace with her and leave her to herself; but in the present situation of affairs, he was convinced that nothing but the most vigorous perseverance would secure permanent tranquillity, and prevent the mischiefs with which, by a premature cessation from hostilities, this country was menaced. Impressed with these ideas, and approving of every sentiment expressed in the Speech from the throne, his Lordship moved an Address, which was, as usual, the echo of the Speech.

Lord Auckland seconded the Address. His Lordship apologized for rising so soon after having a seat in the House, and upon an occasion of unexampled importance. He said, that he should be obliged in the course of his speech to advert to the crimes and calamities with which, for inscrutable purposes, Providence had been pleased to afflict the age and part of the globe in which we live; but that he would speak of those crimes and calamities without asperity and without epithets; they had been such as to beggar language and to baffle description. Nor would he enter into details. The miseries and madnesses of France had too long engrossed all thoughts and all conversations; he had nothing new to say respecting them.

His great object would be, to appreciate the whole of our situation; to look it fully in the face, to examine it in all its parts; to extenuate nothing; to aggravate nothing. If it were well and properly understood, his opinion of it was such, that he could repose himself for the result with cheerfulness and confidence on the wisdom of Parliament, on the good sense of the people in general, and, above all things, on that pre-eminence of public virtue, on that genuine attachment to the constitution, which are so remarkable in the present crisis.

In performing the task which he had imposed on himself, it would be necessary for him to recapitulate our advantages, to examine our difficulties, and to advert to the different lines of conduct possible to be adopted; after which he would

would turn to the favourable part of the prospect, the grounds of confidence and of just hope.

Holland had been rescued; Frankfort, Mentz, the Principality of Liege, had been recovered; many signal victories had been gained; some strong frontier places of great importance had been taken; our armies had been strengthened; and several powers had acceded to our alliance in support of a cause which affects the honour and essential interests of every established government. Many of the foreign possessions of France had ceased to belong to her, and perhaps it was not too much to say, that England has it in her power to appropriate to herself as many of them, great and valuable as they are, as she may think expedient.

At sea, our commerce had been protected; that of the enemy had been annoyed. Our naval force, which by the peace system was very low when the war broke out, had been increased more than had ever been known in any one year of any former war, and was beyond all comparison superior to that of the enemy: And the blow which had lately been given to France in the Mediterranean, in those seas where the French fleet lately rode paramount, was such as in ordinary times would have been reckoned an ample compensation for the expenses of a campaign.

If the review could stop here, we might well expect the immediate return of that tranquillity, in the place of which France had so long presented a hideous dream of sedition, rapine, and massacre. It was, however, necessary to look to the position of the enemy, and to the means lately invented of raising an armed force by the operation of popular terror. He saw that invention with uneasiness, but not with despondency: He thought it terrible, because it could not be imitated by any nation retaining either the principles or the practice of law and humanity: But a little time might show, that it carried with it its own antidote; that it exhausted the nation which had recourse to it; that it could not easily be repeated; and that it prepared the minds of men for a more rational form of government. He was disposed to render justice to the talents of the French leaders, who certainly had shown abilities in their combination against God and man, against the religion and liberties of the world. But the invention to which he now adverted was the fruit of their crimes, and not of their ingenuity. Their situation required some desperate and unheard-of exertion. They had made terror the order of the day, and by the aid of imprisonment, confiscation, and murder, had intimidated all resistance, filled their

their treasuries, and crowded their armies. They had sent forth those crowds with terror and famine in their rear, and with the licence of unbounded plunder in their front. Other ages had seen mighty empires over-run by hordes of barbarians; it was reserved for the present age to see those hordes composed, not, as heretofore, of wretched and ignorant multitudes: The hordes of the present day superadd to the ferocity and energy of savage life, the arts and improvements of modern war, the abuse of the invention of printing, force of language, and all the worst corruptions of polished society: It was reserved for the present age to see armies composed by concentrating all the excesses of insubordination and anarchy. An army of robbers and murderers was the worst of all enemies. So long as such a force could be kept together it was perhaps no paradox to say that the progress and result of the war would not entirely depend on the number of our victories, or on the extent of our successes.

Here then the question would arise, whether any other line of conduct could be recommended, than that of increased vigour and exertion, stated by his Majesty in his Speech, and approved in the Address. Was there any discontinuance or relaxation of our efforts which could do more than produce a short and precarious interval of delusive repose?

Would it be possible for any noble Lord to recommend a negotiation for peace? He felt an impatience in the mere mention of such an hypothesis, which he considered as an extreme both of folly and of dishonour. With whom could we make a compact? With men who by the perfidious seizure of our merchants' property, contrary to the commercial treaty, had shewn that they disregarded compacts; with men who have set at defiance every sacred obligation, that had hitherto formed the bonds and good faith of society? What minister, on the faith of a treaty with such men, would advise the King to disarm? What minister, for the sake of such a treaty, would abandon all the conquests which we now have within our grasp? France has declared that she would build a large navy: Will you then, with your present superiority, withdraw your fleets, and open her ports, that she may obtain naval stores and the means of carrying her threats into execution? But there was another objection; The leading regicides cannot make a peace, they have no security but in keeping the unhappy people, whom they are governing with a rod of iron, in a state of warfare and confusion. They had accordingly avowed their intention to overthrow all

government, and particularly the British, and had made several decrees tending to prohibit any possible negotiation with us. His Lordship said he could not lament those decrees, because he should be sorry to see any interruption to the concert of the different powers, and to the preparations making by those powers.

There remained, however, another possible mode for us. It might be said, "Suspend your subsidies, recall your armies, retire within your own island, and wait with patience for the continent to set itself to rights."

He did not believe that there existed an Englishman capable of stating seriously so shameful and so senseless an idea. The national character of honour and firmness was a principal cause of the national prosperity; and he trusted that Great Britain would never, for a moment of pressure and temporary emergency, think of wrapping herself up in a dangerous and dishonourable selfishness. Besides, we could not withdraw our armies without leaving Flanders and Holland to be over-run by the French, and by every desperate and malignant adventurer to be collected from every other nation.

Where then would be the commerce of our merchants, when all the ports of Europe should be in the same lost and desolated situation that Bourdeaux now is? Where would be the security of the British channel, when the Texel, the Meuse, Flushing, and Ostend, should be crowded with Dutch shipping, manned by the refuse of France, and maintained by the pillage of Amsterdam?

It had happened to him to see the near prospect of the calamity which he now described, when the French army was trying to pass the Moordyk, in February 1792; and he was convinced that if they had not been prevented by the wise exertions of this country, and of the Dutch Ministers, not all the brilliant victories of the Prince of Cobourg would have been able to dislodge Dumourier, and to force him out of Holland; and if the French once got possession of Holland, there was an end to the security of Great Britain.

If then it was impossible to negotiate or to withdraw the armies, it remained only to push forward the war with redoubled energy, and with all the resources, force, and union of this country.

We had not sought the war; it had come upon us like a calamity of the elements; we must resist that calamity as well as we can; not for an indefinite period or purpose; but till we are indemnified for the outrage offered to us; and at all events till we can make peace with safety.

It remained for him to present the bright and cheerful side of the picture, to compare our situation and that of the enemy. He had been several years in France, and had seen her, with all the defects of her government, one of the happiest countries under heaven, except our own. He now saw her torn by civil faction and the worst paroxysms of sedition, destitute of trade and manufactures, neglectful of agriculture, and depopulated by maintaining fourteen armies, by famine, by a general depravation of manners, by emigrations beyond all example, and by a continued massacre perpetrated from day to day in all her unhappy cities. He also saw her engaged in an expense, amounting, in the course of one year, nearly to the total of our whole national debt.

The contrast of the picture in England is very pleasing. We have reason to believe that the supplies may be found without any severe pressure on the people. Our commerce is flourishing, and new and important markets are opening to it: And he had reason to believe that the revenue of the last year would be found equal, or superior, to the average stated by the committee of 1791 as the average peace revenue.

It was in itself a great advantage to our cause to have the consciousness that we might ultimately hope for the protection and blessing of Providence on our arms.

On the whole, he saw every good ground to hope that Great Britain would add to the bright pages of her history the glory of rescuing mankind from a torrent of murder, rapine, and irreligion, and from all that train of evils with which the French lunacy had so long menaced the whole of the civilized world.

*The Earl of Guildford** said, he feared the unanimity so much expected by the mover and seconder of the Address would not take place; his Majesty would no doubt always find support from that House, when any support was necessary, either for the preservation of the honour of the Crown, or to

* Eldest son of the late Earl of Guildford, who came into the ministry about the year 1768, and held the premiership till the spring of 1783, when, through the adverse events of the American war, he was compelled, by increasing minorities, to retire from the helm of government, and yield his situation and power to the administration formed by the late Marquis of Rockingham, Earl Shelburne (now Marquis of Lansdown), Lord George Cavendish, and other popular characters. The present Earl is a man of most amiable character and considerable abilities, beloved, like his father, by all who know him, and most honourably true to his principle, as the inheritor of his father's share in the memorable Coalition of 1784.

secure the safety of the people; and in such cases none would be more ready than himself to stand forward, and lend every assistance that was necessary. From the Speech from the throne and from the Address, he was sorry to find no prospect of peace held out, nor a probability suggested of a speedy termination of the war. Peace, his Lordship observed, was highly desirable on every account. At the same time he would be the last man to advise agreeing to a peace neither honourable in itself, nor prudent for the nation to accede to. So much therefore did he differ in sentiment from the noble Earl who moved and the noble Lord who seconded the Address, that he felt it his duty to move an Amendment to the Address, for the purpose of opening a way for peace.

We were confessedly in a state of difficulty and embarrassment. Whether that arose from misconduct or misfortune, he should not now inquire. The question was, how we should get out of our present embarrassment; and from all he saw, by the information we had upon the subject, our best method was that of setting on foot a negotiation with a view to the adjustment of an honourable peace. He might be told that unanimity was desirable; in a contest such as we were now engaged in, he would go as far as he thought any noble Lord ought to go, for the purpose of preserving unanimity in the great council of the nation; but that should be the case only when he was satisfied that public affairs were conducted in the best possible manner. What was our situation at that moment? We were engaged in a desperate and expensive war, and without any definite object to be gained by it. Parliament thus met, and of course expected to have the most ample satisfaction upon material points. What had that day produced? They heard of nothing but of persevering in a system that could gain nothing to Great Britain, and might end in our total ruin. Their Lordships had been told at one time that the safety of our allies the Dutch required our interference. Holland was now safe, and yet we continued hostilities as at the commencement of our engagement in the war. How long we were to continue them, it was impossible to tell, unless we came to some specific point upon the subject. At present the object of the war was undefined and apparently undefinable. If we were not to sheath the sword until monarchy was restored in France, God only knew when the dispute was to be put an end to; and it was impossible to be too eager to check that career of pride and folly. Every man would, in his opinion, do all he could for that purpose, unless he thought that this country should be entirely sacrificed to the aggrandizement

dizement of Austria or of Prussia, and that Mons. Calonne should fill the place of Robespierre. He therefore felt it to be his duty, to intreat the House to be aware of the danger we were in, and to take care not to advise his Majesty to any thing that would put the happiness of this country to ultimate hazard.

To entertain their Lordships with general declamation upon the advantages of peace, and the calamities of war, was unnecessary, and therefore he should avoid it; but there were circumstances at the present moment of so much importance, that it was impossible to pass them without notice. It was first of all to be considered that the object of the war was not ascertained. If we regarded appearances, at one time we should find that the war was undertaken for the safety of Holland. At that time nothing was said on our part about any form of government in France; on the contrary, the whole of it was given up.

When Lord Hood negotiated with the Toulonese, and when they were induced to receive him into their port, it was under the express stipulation of supporting the constitution of 1789: Of that constitution, which had been properly styled a "Magnificent Fabric of human Wisdom and Virtue," and against which our allies on the continent have declared war, we this day hear not a word. If Lord Hood was not authorized to propose the terms which he offered, his public declaration to the people of France was a gross imposition on the Toulonese, and a scandalous reflection upon the government of this country. Does the Address propose that we should prosecute the war for the protection of our allies? Has Holland once entered into the minds of his Majesty's ministers on this occasion, or the noble Lords who have with so much eloquence supported the Address? It is but too obvious, from the language which they have used, that the objects which ministers have in view are widely different from those by which the public were led into this unfortunate war. Let us, however, for a moment, suppose that the end which they wish to obtain is the protection of Holland, and of Great Britain, against the incursions of the French republicans; give me leave to ask your Lordships, whether this end could not have been as effectually obtained, and much more effectually obtained, by negotiation than by warfare? Was it not proposed to them, before we were plunged into the horrors and devastation of war, to try the experiment of negotiation? When that had failed, it would have been time enough to commence hostilities; and there are few, I believe, who are not now convinced, that the safety of Holland would have been better secured

cured by the conciliating voice of our ambassador at Paris, than by the thunder of our cannon. It may be said, that the moment I allude to was not the most favourable; that the French were at that time so elated with their astonishing and before unheard-of successes, that they would have listened to no terms which the dignity of Great Britain, and her good faith to her allies, could have permitted her to offer. The history of that period, and the language and efforts of her ministers, ambassadors, and generals, afford a complete refutation of such an assertion. But let us even here again concede to those who are of this opinion. We know of another period, the circumstances of which can give no support to such an argument: Were they not sufficiently humbled in the course of last summer, by a retreat as speedy and disastrous as their march had been rapid and victorious; when their army had been half destroyed, and the remains of it had been almost totally disorganised; when they had been driven from Brabant, and had been unsuccessful from Western Flanders to the Rhine; when several of their provinces had been invaded, and their most important fortresses had been subdued; is there a noble Lord in this House who does not in his conscience believe that they would then have been eager to listen to such terms of peace as became the dignity and justice of this country to offer? If insolence is too often the attendant of prosperity, adversity is generally accompanied by moderation and humility. Much has been said of the signal advantages we have gained over them, and the certain prospect we have of a speedy peace, by vigorously exerting the strength, and applying the resources of this country in the prosecution of the war. Our advantages, I much fear, will be greatly counterbalanced by the expenses we have incurred, and the losses sustained by our traders and manufacturers. If we also compare the conquests made by the allies with the present position of the French armies, it is to be feared that the former have not much to boast of. May it not reasonably be inquired, whether we have not already obtained the end which we proposed? and after the obtaining of which, his Majesty's ministers repeatedly and solemnly declared they would pursue every measure that should tend to procure a speedy, safe, and honourable peace? Our allies the Dutch are in perfect security. The French had been driven from their territories, and confined within limits, beyond which we ought not to attempt to pass. The noble Lords who moved and seconded the Address admit, that they have made the most stupendous efforts, and such as have astonished all Europe; but *this rising in a mass*, say they, cannot be repeated or imitated.

It

It is a violent convulsion, which must exhaust the nation that resorts to it, or at least so far weaken it as to bring it to a low pitch of humiliation. The same causes, my Lords, will produce the same effects. The pressure of an invading enemy only bends the bow to give the arrow a greater degree of force. Their extensive territories we are all acquainted with; their vast numbers, and great internal resources, are unquestioned; and whatever may be their dissensions and massacres, we find them capable of bringing into the field, troops that have scarcely learned their exercise, and yet have successfully opposed the best-disciplined armies in Europe. What reason have you to believe that those troops, which they will oppose to us in the next campaign, will be less disciplined, or worse appointed, than those we have already had to contend with? History teaches us that experience makes the soldier, and practice often leads to victory. The cruelties practised at Lyons, which have been painted in such glowing colours by the noble Lords, and to no one are they more abhorrent than to me; the destruction of that first manufacturing city in the world, as they have called it; the massacre and banishment of its numerous inhabitants to the interior provinces, all forming, as they say, a dreadful prelude to the fate of the not less celebrated city of Toulon; the wars and murders of La Vendée, the finest and most fertile province in France, are urged to show that the French are so reduced, that they cannot long resist the formidable powers of the allies. Here let me again ask, whether the desolation of La Vendée, and the destruction of those once-famed and flourishing cities, will encourage other provinces to revolt against the existing government, and induce Bourdeaux, Marseilles, and Dunkirk, to expose themselves to the same exterminating vengeance?

Another argument has been adduced to encourage us in the prosecution of the war, arising from the destruction of the ships and naval stores at Toulon. The noble Lord who moved the Address says, that this alone will compensate us for all our losses and expenses incurred during the war; and whatever may be their future form of government, they will not for many years, perhaps an age to come, be able to disturb the tranquillity of this country. To estimate our gain by the losses of the French, is not the most accurate method of calculation. I cannot see how the reducing of France to poverty will enrich Great Britain; and I shall have occasion to show presently, that it will have a contrary effect. Was it for the purpose of making a partition of France among the allies, that we so benevolently interfered? Was it then for the purpose of destroying her
wonted

wonted consequence, that we so humanely interposed our fleets and armies in behalf of Louis XVII. ? Is it to reduce her for the future to the lowest degree in the scale of nations, *whatever may be her form of government*, that we are to prosecute this disastrous war ? Our allies may, perhaps, owe us some obligations, if this be the case ; but no Frenchmen of any description, royalists or republicans, can thank us, after having discovered this cloven foot. The arguments suggested in favour of the continuance of the war naturally divide themselves under two heads, the policy of the war, and its necessity. The policy of the war, if there be any, must be founded upon some present gain, or the prospect of some future advantage that we are to reap from it. Circumstanced as the two countries are, our interest would be promoted by the prosperity of France, rather than its ruin. A neighbouring nation, desolated and impoverished, can hold out no advantage to this country, whose welfare essentially depends upon the flourishing state of her trade and commerce. If France should be exhausted by another campaign, will Great Britain be stronger at the end of it ? If you dry up the resources of France, will you not destroy your own markets ? If you desolate her, what commodities will she have to exchange with you, or money to purchase what you have to sell ? But be the policy of the war what it may, if it be not founded in justice and in honour, it should be spurned by a nation hitherto famed for those distinguished virtues. The arguments adduced to prove the necessity of continuing our warlike operations against France, may be reduced to three heads. It is said, that we must go on :

First, Because it is necessary to oppose the progress of the French arms.

Secondly, It is necessary thereby to prevent the propagation of French principles.

And, Thirdly, We must persevere, until such a government can be established, that will induce us to treat under the fairest prospect of obtaining a lasting and honourable peace.

His Lordship said, he meant not to deny, that the progress of the French arms was at one time very alarming. It threatened the annihilation of the Dutch, our most valuable allies ; and if it had not been timely checked, it might have endangered (he scrupled not to say it) the salvation of this country. The state of things is, however, now reversed ; the French are separated from Holland by a sufficient distance ; and some regard ought to be paid to their public declaration, viz. " That they do not mean to interfere in the internal government

vernment of any country, nor will they make war upon any nation that is not the aggressor." But have his Majesty's ministers calculated the force and the resources by which they are to accomplish the important end they have proposed to themselves? Much reliance, no doubt, must be placed upon, the assistance of our allies, who, as the Speech expresses it, have entered into an almost general confederacy; but our hopes cannot be much brightened by the prospect of assistance from those whom we are obliged to subsidize for the singular purpose of defending themselves. It is notorious to all Europe, that the resources of Austria are exhausted. The Emperor can no longer levy fresh imposts upon his subjects; and he is left to the precarious support of private benevolences, and the loyal contribution of individuals. As to the King of Prussia, less reserve is necessary. Notwithstanding the late shameful addition which he has made to his territories, by the plunder of the innocent and defenceless Poles, he either cannot, or will not, contribute any material assistance to another campaign.

But it is urged, that we must at any rate prevent the importation of French principles, that are destructive of the peace of every civilized and well-regulated government. The doctrine is not more exploded, that you cannot make converts by the sword, than that you cannot prevent the dissemination of political, or any other principles, by the aid of arms. But what more apt means than those used by the allies could have been devised to spread the false philosophy of the French, which is justly reprobated by every wise and good man? If you wish to crush the Jacobins of this country; if you desire to render abortive the machinations of a *British Convention*; if, my Lords, you would impress upon the minds of his Majesty's subjects, a sense of the inestimable blessings resulting from our excellent constitution of King, Lords, and Commons, prove to them that they have a government that will secure to them their liberty and property, together with all the advantages of peace and prosperity. Many considerations lead me to reflect, that the people of this country may soon be discontented with the conduct of our public affairs; and when that begins to appear, it is not by argument, or syllogisms the people will be satisfied, but by their feelings. It is in vain that you tell them the British constitution is the wisest and best that was ever framed; you must make them feel that they actually enjoy under it those advantages which it is calculated to afford them.

Lastly, it is said that you have no persons to treat with who have the power or inclination to secure to you a lasting peace. If

he were asked, his Lordship said, who those are with whom we ought to open a negotiation? he would answer, *those men* (be they who they may) who have the direction of the *arms* and of the *force* of the country.

He declared he could not suspect that there was a noble Lord present who was not convinced, that if you offer them terms which are fair, they would close with us; and the treaty which it is their interest to conclude, the same interest will bind them to observe. No difficulty ought to arise from the form of the government with which he proposed we should negotiate peace. We are at peace with governments that bear a strong resemblance to that now existing in France. We have *treated* with those of the same description, and we are actually in alliance with Dantzick. He should therefore beg their Lordships' pardon for so long an intrusion on their time, and submit an amendment to be inserted after the third or fourth paragraph of the Address, to the following effect:—"That this House do thank his Majesty for the gracious declarations which he has been pleased to make of the views and principles by which he is guided in the prosecution of the present war; but they hoped His Majesty would seize the earliest opportunity to conclude a peace, by which the permanent safety of his subjects, and the independence and security of Europe, may be provided for; and that they humbly hope no difficulty may prevent the attainment of so desirable an object, from the form of government which may be established in France."

"I shall only trouble the House, his Lordship added, with one or two more observations. The resources of the country are unquestionably great, but it behoves his Majesty's ministers to reflect on the inevitable losses which we have sustained since the commencement of hostilities, and the heavy distresses under which our manufacturers, and all the lower classes of the people, labour. When new burdens are laid on, he believed their abilities to sustain them had not been estimated. However the war might be terminated, there was no possibility of our being reimbursed, and *when* it might terminate, the noble Lords could only form a very uncertain guess. One thing appears clear, viz. that there is no probability of its ending successfully under the management of those who have the present direction of it. If we must go on, let the business be entrusted to those who have abilities to conduct it more successfully; and if, from the justice of the cause in which we are embarked, we have reason to hope for the interposition of Him who is the Ruler of all the nations of the earth, let us
seek

seek for agents to whom he may be more propitious than to those who have hurried us, and wish to plunge us deeper, into the miseries of this ill-fated war."

The Duke of Portland * said, he could not consent to give a silent vote upon so important an occasion, and therefore he was thus early anxious to offer himself to their Lordship's notice. He had, at the commencement of the war last year, acknowledged his opinion of the justice and necessity of it; and he was now more fully convinced of both. He thought it the duty of every man to concur in strengthening the hands of Government, as the war was necessary, and a vigorous prosecution of it appeared to him to be the only probable means of saving the country, and bringing the contest to a favourable end by an honourable and permanent peace. The war, his Grace said, differed from all others:—It was a *defensive* war in the strictest sense of the words. He considered the war to be merely grounded upon one principle, and that no less than the preservation of the existence of the *Christian Religion*: Against that inestimable blessing, and against all that was sacred and dear to us, he conceived all the thunder of our enemies to be aimed; and we had no other means to preserve them, together with our constitution and property, but the humiliation of a power founded in rapine, cruelty, and fraud, which threatened equally the destruction of all.

He declared he did not know to what the amendment could tend. Did his noble Friend mean to recommend a breach of all the treaties which existed between this country and foreign powers? A measure which it would unquestionably be dishonourable in the extreme for this country to pursue, and which must ultimately end in our ruin and disgrace. His Grace concluded with declaring that he would pledge himself to give his cordial support to ministers, and therefore would vote for the Address.

The Earl of Guildford explained the nature of his motion, which seemed to him to have been misconstrued by the noble Duke. It was not his view to advise his Majesty to make a separate peace, or to dictate to his Majesty any specific terms of peace whatever, but merely to advise his Majesty to order a negotiation to be set on foot on such terms as to his Majesty might appear just and reasonable.

Earl Spencer said, he also, like his noble friend who had just sat down, could not consent to give a silent vote. He said

* First Lord of the Treasury during the Coalition Ministry, which came in after the peace in 1783, and continued in power till Friday, Dec. 19, 1783, when they were dismissed by his Majesty.

ported by popular caprice; and he believed, from what he heard in the parts of the kingdom which he had found occasion to visit, that the war was still popular, and that the people were still anxious for the continuance of hostilities. From his connexions in the country he had an opportunity of knowing their sentiments, and he feared the fact was as he had just stated it. He saw indeed some of the people lamenting their ill-judged ambition, and regretting that imprudence which encouraged their destructive career; and he was now convinced of what he ever had supposed before, that there were no grounds for the panic of government, no danger of the introduction of French principles into this country. The people saw too dreadful an example in France to imitate such conduct here. He condemned the obstinacy of Ministry in rejecting all negotiation with France; that alone which could save the blood of Europe, and terminate those dreadful calamities.

He feared that an unfair advantage had been taken of the public in this business, from the commencement of it; the generous feelings of Englishmen had been worked upon unfairly; for, by perpetually bringing to view the assassinations and other atrocities of the French, the horror naturally excited against these was made use of artfully as a pretext for the war. To this were to be added false alarms, that were raised last year, and continued for some time afterwards; when stories were told about visionary plots and invisible insurrections; so that there had arisen something like popularity about this war, and he knew not whether the delusion was yet entirely at an end; he believed not: but be that as it might, it was the duty of that House to prevent the continuance of an unnecessary and a ruinous war; and, impressed with that idea, he should vote for the amendment of his noble friend.

His Grace, in the course of his speech, adverted to what Earl Spencer had said of sacrificing party connexions, and paid some handsome compliments to the Member of Parliament supposed to have been alluded to.

Lord Spencer therefore rose to explain, repeated his former language, and declared he meant not the smallest personal reflection, but merely to state his reasons for abandoning a political connexion, the separating from which gave him much real pain.

Lord Hay (Earl of Kinnoul), in a short speech, declared, that he gave his hearty and sincere support to the Address and to Ministers, because the war was necessary and unavoidable.

The Earl of Derby began with declaring that he should vote for the amendment of the noble Earl. It was, he said, his wish

with that it would admit of even yet stronger language, so that he could bring his mind to some fixed point or condition, upon which his Majesty's ministers might be induced to say they were ready to negotiate for so desirable an object. He expected that Ministers, or their friends, would have defined the object of the war: As for his part, he could not conceive why it was continued. Was it to extirpate republicanism, and establish royalty in France? If so, we must wait for the extirpation of every man in it; till then, we could not hope to accomplish our object. He had been told of the flourishing state of our revenues by one noble Peer, and he was informed, what had appeared to him rather strange, that it had equalled any year of our peace establishment, and this as an inducement to continue the war.

[He was told here by Lord Auckland, and other noble Lords, that the *average* of four years was only meant, as stated by the Committee of 1791.]

The Earl of Derby remarked upon this, that though he gave the noble Lords full credit that they believed this to be the case, yet the assertion did not bring very complete conviction to his mind: At any rate, the exceedings of revenue were no argument for protracting the war. A noble friend of his had declared, that in the parts of the country which he had occasion to visit, the war seemed even still to be popular. He was a little surprised to hear this from the noble Duke, because he had not himself found it so: A different opinion prevailed in the large manufacturing county in which he lived. In that county 12,000 manufacturers had been taken from the loom, and sent to the army. Was that a very satisfactory circumstance, and either likely to make the war popular, or to aid the revenue?

Could they call this national prosperity? could they tell the nation her finances were flourishing, when the means of making her so were destroyed? What gave energy to the merchant? what drew wealth into the country? To our manufacturers we were indebted for all, and these were latterly dwindling into decay. It was a circumstance of melancholy reflection, and could not be concealed.

His Lordship said, he did not understand what the noble Earl, who spoke last but one, meant by *minuenda est Gallia*; to what does he apply the word *minuenda*? To the armies, or to the marine of France? Does he mean to limit the establishment of either one or the other? Does the noble Earl mean to say in one of these points to France, as Rome did at one time (of that period of her history from whence the noble Earl borrowed the quotation) to
one

one of her adversaries, " You shall limit your marine ; you shall have so many galleys and row-boats, and no more ! " Would France listen to such language for a single moment ? His Lordship said, he would avoid entering into the consideration of the conduct of the war, as opportunities enough for discussion on that point would necessarily present themselves in the course of the session. He could not, however, avoid saying a word or two, on the statement given by authority of the transactions at Toulon ? He noticed a palpable suppression of certain circumstances, detected by a reference to passages, which were communicated on a previous occasion by the writer. He noticed the general conduct of our allies, and adverted to their means of carrying on a war. He begged to know if Austria was not crippled in her resources, and whether the Emperor had not notoriously been disappointed in his application for the voluntary aids of his subjects ?

If we looked towards the King of Prussia, did his declared poverty promise a wider extent of warlike preparation, and a much larger duration of his assistance ? Russia had indeed joined in the opinion that it was a common cause, in which all kingdoms and every people were alike interested ; but her good wishes were the sole aids furnished by that enlightened and liberal potentate. When he thought of the powers we were made to subsidize, to defend their own dominions, he was at some loss to conceive how far this complaisance might carry us. Would our resources, impoverished as they must naturally be, suffice to keep up the bankrupt armies of all Europe ? His Lordship too remarked, that we could have small reliance even upon the gratitude of our subsidized allies. Certain powers, of this description, had thought proper, not merely to evacuate a fort, but to quit a town without our leave, and consulting only their personal safety, disregarded the grand obligation, for the preservation of which they were so liberally paid.

After commenting pointedly on this fact for some little time, the Earl entered into a justification of the amendment moved by his noble friend ; and declared, it appeared to him to be highly necessary, and should have his cordial support.

The Earl of Mansfield began with promising their Lordships that he would not be long. The House, he saw, was exhausted, and he felt himself rather indisposed. A few observations, however, he wished to offer. If any obstacles had arisen in the prosecution of the war, *that* to him was an additional reason for his giving his cordial and zealous support to Ministers in the prosecution of this just and necessary war.

He

He gave them his support; in confidence that they would act up to the exigency of the occasion, with that manly firmness, steady perseverance, and well-guided conduct, which the occasion required. He hoped they would prosecute this war until the object of it was attained; and he was glad to find it marked out in the Speech from the throne. The war had been falsely called without doors, A War of Kings. In fact it was a war of a much more important nature. It was a war for the preservation of order, government, religion, law, justice, morality, and humanity. The necessity, the object of engaging in hostilities, had been often declared to that House; but some noble Lords seemed or affected to be ignorant why it should now be continued. Are we not still as far as ever from attaining a lasting peace, a peace which we can depend on? He did not mean to say that the war was continued to obtain satisfaction and indemnity. They were undoubtedly great points in the case; but they were not the principal matters to be considered. The object was this, to restore order and good government in France, and to preserve to ourselves, and the rest of Europe, the blessings of order and legal government: For the French had declared war against order and good government in Europe, and were determined to do all they could to make the rest of mankind as wretched as themselves; they were determined to prove themselves *hostes humani generis*. They were a set of beings who had formed a conspiracy against the general interests of mankind.

The question so often mentioned, *viz.* With whom were we to treat for peace? was a proper and an unanswerable question. There was not a proposition in Euclid clearer than this, That it is impossible for order to make alliance with anarchy. What government is there yet for us to commence a treaty with? there still continues that disunion in the councils of France, which can induce us to hope only for further anarchy and confusion. What would have been the situation of affairs, if some months ago we had treated with those who then held the executive powers of France? We should have again been involved in the same necessity; for the party we must have then negotiated with, have since suffered from the weight of that tyranny which they were so active in raising. We might indeed treat with an usurper. Cromwell, for instance, was unquestionably an usurper, yet alliances were formed, and all Europe treated with him; but Cromwell had permanent power, which was not the case with the present rulers in France. If we entered into negotiation, it must be for permanent and lasting peace: That was the object of all negotiation; and nothing could be more true than that declaration

claration in the Speech, which stated, that to negotiate now, and to relax from exertion in the war, would only produce a moment of delusive repose. It would, in fact, be attended with the most dangerous consequences, and precipitate that ruin, it was not less their duty than their interest to avert. If war, as it now stood, was a serious evil, agreeing to the amendment would double the mischief they intended to remove; for, in all cases of this sort, the party with whom you treat, should have the power, supposing them to have the inclination of making a permanent treaty. What would have been the effect of our having treated with the Girondists last year, as was then recommended, they being the predominant faction in Paris? What was now become of Brissot and his party?—Fallen by the most equitable of all laws; fallen under the keen severity of their own system—

—Necis artifices arte perire sua.

Suppose we were to treat with Robespierre, whose security had we that he and his faction might not meet the same fate? Such are those who rule the republic, and such are the men we are desired to make peace with. Can any noble Lord be so inconsiderate, as to desire the ministers of this country to commence a negotiation with these subverters of all order? they who have built their government on the destruction of monarchy, and who are not satisfied in performing their horrid crimes in their own country, but who wish to introduce them all over Europe, and convince the people of other countries of the excellence of such principles?

If they treated with France in the present form of government, they would not have any ground to stand upon; we should never have another ally in Europe, and, what was worse, we should not deserve to have any. Let them proceed then in this war with steadiness, and their object would be gained. He felt as much as any man, that war was a great calamity; but that nation would soon sink into insignificance, where war was regarded as the greatest calamity. Their Lordships should hear the words of St. Just, one of the moderate men of the Convention: "Let Great Britain awake, and we will assist her in getting rid of Kings. Away with that infamous island!" We had long enjoyed the blessings of a free government, and he hoped we should hand it down unimpaired to posterity, to be by them enjoyed until time should be no more. We are engaged in the cause of all civilized Europe. In so great a purpose, and for so great an end, should England be foremost in deserting the standard? Forbid it justice, forbid it sentiment, forbid it humanity! No, my Lords, we will not negotiate with such offenders; we will show them, by our reso-

resolutions, this night, we are determined to check their presumptuous endeavours, and convince them that Englishmen still regard and adore that Sovereign, whose attention to their real interest merits their gratitude, and secures his undisturbed tranquillity. Nor, my Lords, can we observe in this Convention any intention of relinquishing these alarming principles. God forbid we should have a peace on such dishonourable terms!—God forbid that we should treat for one, till we can secure our constitution, preserve our liberty, and maintain our religion!

Earl Hardwicke said, he thought it incumbent on every noble Lord, who had at any time stated his sentiments on political subjects in that House, that day to rise and avow his opinion as to the present important crisis of public affairs. He meant most decidedly to give his vote for the Address, and to lend ministers every possible support towards a vigorous prosecution of the war; because he not only considered it as just and necessary, but such as had been forced upon the country, and could not at present be brought to a termination with safety and honour. He agreed entirely with those noble Lords, that there was not in France any proper power to treat with at present, so as to make a peace to be relied on, in the smallest degree likely to be permanent and secure. When a noble Earl near him (*Lord Mansfield*) had said, that *it was impossible for order to make an alliance with anarchy*, he had, perhaps inadvertently, used the very expression of *Monsieur Brissot*, in his pamphlet addressed to his constituents, published at Paris in May last, and immediately suppressed: The pamphlet, though so long since published, had not, for the reason he had stated, been known much of in London, till within a few weeks past. That pamphlet gave a striking picture of the true situation of the Convention, and the predominant faction in Paris; and the statement it contained might be relied on, as the author was well known to have had a principal share in contriving the plots he described, and to have been one of the chief actors in the scene of his political drama. His Lordship thought no man could read that curious pamphlet, and not be convinced, that it would be the extreme of folly to attempt to negotiate for peace with any persons in France at present. The circumstances of the times, and the situation of the country, the Earl said, reminded him of a celebrated performance at a memorable epoch of our history, he meant the last speech of *King William* to his parliament; that speech had made so much impression on the public mind, and been so generally admired, that it was

printed and sold in great numbers, which were framed and hung up for years together in most of the houses in all parts of the kingdom. His Lordship read some of the most striking passages of it, and particularly that in which the King told his parliament, to *recollect that the eyes of all Europe were upon them; that the cause the country was engaged in, was most arduous and important; but that they might entertain a confidence of success, if ENGLISHMEN WERE BUT TRUE TO THEMSELVES.* His Lordship commented on the wisdom and salutariness of this language, and on its appositeness to the present occasion, when the eyes of all Europe were clearly upon us, and there was so much occasion for public unanimity, and for Englishmen to be true to themselves.

Earl Stanhope said, he was astonished to hear the noble Duke and the noble Earl near him, pledge themselves respectively to that House, to give their cordial and hearty support to ministers, during the future prosecution and continuance of the war: He rose, therefore, to pledge himself to that House, and to the public, as heartily to give his firm and most determined opposition to the war, in every stage of it; because he thought it a most unjust and unnecessary war. He meant that night to vote for the Amendment, as proposed by his noble friend; and was sorry to have heard it so much mistated, as it had been by the noble Duke, not, he was persuaded, intentionally, but in consequence of misconception merely. The Amendment was clear and specific, and peculiarly proper, as it left it to the wisdom and prudence of his Majesty, what terms to offer, or what to accept: But it would not be necessary for him to take up much of their Lordships' time, by entering into a discussion of the expediency of such a proposal for peace, as he intended, in a few days, to bring forward a motion for that purpose; and he would take care it should not be misrepresented, because he would take care that it should not be misunderstood. The subject was of infinite importance to the country, and ought not to be postponed. What he alluded to was a motion for an Address to his Majesty, to desire his Majesty to give directions for a *formal recognition of the French republic.* He professed himself warmly inclined for peace in almost any manner that it could be obtained, and would therefore vote for the Amendment. He not only thought that we could and ought to treat with the present government of France; but would go much further, in order that it might be no longer a doubt or difficulty who we were to treat with, or how we were to treat. He had acquainted his noble relation, the Secretary of State, that it was his intention

attention to make a motion to set that matter in the clearest point of view; and requested he would name the earliest day possible, when it would be convenient to him that it should be brought forward. The noble Secretary had named next Thursday: He therefore gave notice, that on Thursday (23d) he meant to move, that an humble Address be presented to his Majesty, humbly praying that his Majesty would be pleased to give directions to his ministers, in the name of this country to acknowledge the Republic of France:

Lord Grenville said, he had been anxious to hear all the arguments of different noble Lords before he spoke, and he had hoped that every noble Lord would have entered that House with an unanimous determination to support the Address to the crown. At this moment, when the eyes of Europe were turned on their deliberations, their unanimity might show a daring nation that they were resolved to maintain the blessings they enjoyed, and that disunion should not weaken their measures; or slacken their efforts. We have embarked in a war, in which we may naturally hope for the assistance of Providence; but the subject had been argued with so much ability and talents by the noble Earl who moved the Address, and the noble Lord who seconded it, that little indeed remained for him to add. It was true that his noble relation had applied to him, to know when it would suit him to discuss the motion of which his noble relation had just given notice, and, as far as he had power, to name a day: He had said, he had no objection to Thursday. He was obliged to his noble relation, for his intention to bring on the motion; but as it could not be too soon discussed, he was glad it could be taken into consideration on so early a day. At such a crisis it was highly necessary that the members of both Houses should speak on it. With that view it was that his Majesty, in his Speech from the throne, had been so explicit, and so clearly stated the object of the war, the circumstances that had attended it, and the necessity for its continuance. The conduct of noble Lords that day had been extremely satisfactory to his mind; and he had no doubt but it would make a due impression on the nation, while it reflected the highest honour on themselves. His Lordship said, if the war was undefined and undefinable, as the noble Earl who moved the Amendment had stated, the same surely might be said of the Amendment, without injustice. With regard to the objects of the war, and the successes of the campaign, Lord Grenville declared, he did not think it necessary for him to go into any detail that day; he would, therefore, content himself with reminding the House,

House, that on their resolves depended the safety, and perhaps the independence, of Europe: And, he trusted, that the result of their deliberations would furnish a bright page in the annals of their country.

The Marquis of Lansdown said, he considered the present, as the opening of one of the most momentous sessions that had occurred in modern times; that, exhausted as the House was, it was not necessary for him, at that late hour, to take up much of their Lordships time in arguments to justify his giving his vote for the Amendment, and against the Address as originally moved. He meant not, the Marquis said, to avoid the appearance of opposing the war; their Lordships well knew he had declared his opinion on that point distinctly, and assigned his reasons for it most explicitly and unreservedly to that House and to the people last session, when the latter were in the fulness of their delusion. He thought he saw pretty evident marks of a change in the public sentiment, respecting the war. Sure he was, that when men came to reflect coolly, and to give their reason fair play, they would be convinced that the war was unnecessary in its commencement, and highly impolitic in its continuance. That was his opinion, and that opinion he would never be backward to assert and maintain in the face of their Lordships. As for the Speech delivered from the throne, considering it the speech of the ministry, he would declare he should oppose the greater part of it; little, very little of it, was there to which he could give the smallest approbation. The Speech had discovered a secret, viz. that it was a war for nothing: Nothing always cost most: It was generally a purchase paid for ten times over. Hurried into this melancholy war, Heaven knows where it will terminate; for ministers seemed determined to persevere till some firm government was established, or monarchy restored. Noble Lords, in the course of the debate, asserted, that this war was unprecedented; that it was totally different from any other in the history of this country. He could find but one which it strongly resembled, and which was nearly the destruction of England—the war with America. Though this war was carried on perhaps injudiciously, he was certain that was much worse. He would decline at present going into the history of the campaign; he would for that subject chuse a time when their Lordships were not exhausted by long sitting, and wearied by discussion. The ministers say they are ignorant how they should proceed; with whom they should treat. They tell you, my Lords, there is no power in France to treat with, if they were disposed to treat at all. Before they
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make such assertions, let the King's ministers ask General Wurmser, if there is no existing government in France? Let them ask the Duke of Brunswick and the King of Prussia! Let them ask my Lord Hood, and Sir Gilbert Elliot! Let them ask the royalist army of La Vendée! Let them ask the unfortunate Lyonsese! Let them ask the Spaniards, retreating before their arms! All these he was afraid must confess there was a government; and he greatly feared that it would not be long before the Prince of Saxe Cobourg, and the Duke of York, must allow that there was a government in France.

It did not, the Marquis said, require much of the spirit of divination to pronounce a year ago, what would be the fatal, the unavoidable, consequences of involving the country in a war against opinions; the avowed object of which was to repel unprovoked aggressions, but the real one was to prescribe laws to an independent country. Whether the Speech from the throne would remove or confirm the delirium that had been produced in the public mind, he could not take upon him to say; but it certainly contained information that must be acceptable to all that preferred war to peace, and had an interest in supporting the romantic schemes of administration. The Amendment of the noble Earl did not exactly correspond with his ideas, although he gave it a preference to the Address. The horrid outrages that had been perpetrated in France, particularly in the Island of Noirmoutier, were owing to the delusive hopes the royalists entertained of assistance from this country—They discovered their error when too late. The tragical event that took place, he chose rather to allude to than mention. These outrages, he was sorry to say, seemed to be terminated only by the extermination of one of the contending parties. The Marquis complained of the sort of contempt and personal odium endeavoured to be thrown on the leading characters in the Convention, and said it was similar to the idle conduct that had been held with respect to the Congress in America, during the mischievous war with that country. He said, it was weak and foolish to talk of English morality and English regard for religion, in contradistinction to the conduct and manners of the French republicans. The fast-day was approaching, and though he was not fond of party discourses from the pulpit, he should be glad to hear a good sermon on a text, which he had always considered as one of the best parts of the Scripture, viz. the parable of the Pharisee and the publican.

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The Earl of Abingdon said, that being come to town to attend his duty in parliament, as one of the hereditary guardians of the constitution of this country, and finding that the address to his Majesty was founded on measures, which alone, in his mind, could effect our political salvation and existence (I mean, said his Lordship, by prosecuting with unremitting vigour and redoubled ardour, the *just* and *holy* war in which we are engaged, just and holy, most truly so on our part), he rose to give the Address his most hearty and cordial support.

The Marquis Townsend made a short speech at the table in support of the Address, and pointed out in a clear manner the impossibility of commencing a negotiation with the present predominant faction in Paris. The Marquis also animadverted on the other topics which had been adverted to in the course of the Address.

The Earl of Lauderdale began with stating the difficulties he felt in rising to speak to the question, but his difficulties did not arise from the want of argument of the noble Earl. They arose from a melancholy reflection on the situation of affairs; from a painful recollection of the rash conduct of the ministry, in not offering an alliance and treaty with France; from the recollection how the ministers of this country treated the negotiations of the republic, and the shameful and indignant manner with which they lost a favourable opportunity for negotiation, viz. when Monsieur Chauvelin was here, whom they insulted, although he had been sent by the republic, to enter into an alliance with this country. He felt extremely hurt at being obliged to act differently from the noble Duke (Portland) with whom he had commenced his political career; and he lamented the loss the country received, from the noble Duke's attaching himself to ministry; which, he doubted not, his Grace did on the purest motives; but neither that, nor, he believed, any thing else, could put an end to their private friendship. He said, that the noble Secretary of State had argued little on this important occasion; that he made, it is true, a pompous eulogium on the conduct of his Majesty's ministers and measures, but had quickly passed over every thing relating to the war, every objection he could make to the Amendment. His Lordship apologized for having risen so late, but no lateness of the hour could prevent him from doing his duty, and offer some remarks on the subject. The noble Secretary had said, he wanted to hear every noble Lord to have stated his sentiments before he rose himself; but no noble Lord

was

was entitled to say when another noble Lord should speak. He called on the noble Lords to consider the situation of the country, and to recollect how materially different the measures of ministers had been in the last campaign, to what they declared to be their object in the next campaign. The war was engaged in to protect the country of our allies from invasion; that they declared to be the object; but had they kept that in view? His Lordship confessed himself at first puzzled to account for the perverse dereliction of the object which ministers once professed to hold out—but he conjectured the cause might be found in the opinion of a man whose imagination was acknowledged to be as *futile*, as his judgment was notoriously defective. He recommended it to their Lordships to examine the different language of Lord Auckland's memorial, and that held by Lord Hood in his addresses at Toulon. Does (continued his Lordship) the declaration of Lord Hood and Sir Gilbert Elliot at Toulon shew that to be the object which Lord Auckland had stated?—Does the capture of the fortified towns in the Netherlands manifest that to be the only motive? No; it is evident ministers wish to establish the old government, and that the revival of monarchy in France is now what appears to have induced them to persevere in hostilities. But he did not hesitate a moment to assert, that if this was the particular object they had in view, the campaign was conducted with inability by ministry; that they had let slip the only opportunity of effectuating their wish, the time when the Duke of York, and Saxe Cobourg, were successfully advancing into the interior of France. Had they persevered then, had they marched forward to the capital, the Convention might have trembled for their safety, the republic might have shuddered for their existence; but the critical moment was deferred. Their minds were turned to different objects; they omitted the only period for success, and they gave the victorious arms of the republic an opportunity of destroying the only remaining friends of royalty in Brittany and La Vendée.

His Lordship adverted to the wretched state of the royalists in that country, who now suffer the horrors of destructive war, and shudder at the confidence they had placed in the professions of support from England, nearly as much as they did at the introduction of the guillotine into that devoted province. He was sorry that, at this time, the noble Duke should withdraw from the people that support which he ever gave to their interest: Surely it was not the melodious voice of the noble Lord who called to him, that could have induced him

to depart from that line of conduct which had hitherto so eminently distinguished him. If he wished to save the country from the precipice of ruin, he ought to oppose the government, and give his support to the amendment. The noble Duke asserted that this war was different from any we were ever engaged in, that its object was the support of religion and happiness, and that it was solely defensive. For his part, he had never dreaded the introduction of French principles in this country; but as to the latter assertion, could the noble Duke be serious, when he said, that the capture of the fortified towns in the Netherlands shewed the war to be defensive? Does the attempt of sending troops into the West demonstrate that such was their object? Does the capture of Toulon, and the consequent declaration, shew it to be the motive? No! the establishment of monarchy in France is the secret object which ministry undertook to effectuate; but each day might convince them of their error, of the little ground of expectation there was to warrant their indulging in the vain idea of being able to accomplish such an event. What, he asked, was the situation of the republic now, compared with what it was when we embarked in this ruinous war? The resources of Austria, of Prussia, and of England, were greater; but the enemies of France were more numerous; now their internal enemies are destroyed, we can hope for nothing in the quarter of the royalists: The disaffected city of Lyons is razed; the inhabitants exposed to misery, executed, or dragging on an existence in dungeons; Toulon is recovered: In a word, no internal enemies distract and weaken their exertions. The popular idea, the only argument made use of by the ministry of the country, that which seemed to contain the very marrow of that on which they relied, was the difficulty and the dangers of treating with the government in France. This was the argument made use of when the rashness of former ministers had brought England to the verge of ruin during the American war. He reprehended the style in which the leaders in the Convention were treated in this country, and said, it was like the style adopted with respect to the leaders in America during the last war. What! it was said by the minister then, is the British nation to stoop to treat with Hancock and his crew? What! say ministry now, shall the nation treat with Robespierre? They were obliged to treat with that same Hancock and his crew, whom they had affected to despise; and they must, ere long, enter into alliance with some of those against whom they now so loudly inveigh; but, my
Lords,

Lords, though it is irrelevant now, the consequences of this war cannot be passed by; consequences so lamentable, that you cannot but shudder when you hear that the alarm of fear, which was spread by the ministry, became the object of criminal persecution in this country. The revolutionary tribunal in France is looked on with horror and disgust; but what has been the conduct of the criminal courts in Great Britain, particularly on a recent occasion in a distant part of the kingdom? Have you not heard of the most extraordinary sentences? Were such cruelties ever remembered in the history of our country? Are these what can induce the people to admire the constitution? Are these what can warm them to its support? What man could venerate or respect that constitution which must be protected by the friend becoming a spy on the actions of his neighbour, and the hours of domestic conviviality subject to a state inquisition? But, my Lords, this business is not confined to this kingdom; in that country to which I belong, the courts of justice have exceeded every thing that imagination could picture; but the singularity of their proceedings shall be an object of future scrutiny. I will bring their conduct under investigation, and shew you that this is one of the consequences of this ruinous war. The writings of Mr. Paine, which for two years were let pass with impunity, were at last attacked by the provident ministry, and the most horrible persecutions were entered into to support their impolitic ambition. But what was it, my Lords, that brought about that revolution which we so often lament? It was the enormous severity of punishments; it was the dreadful oppression of the poor. Does the minister of this country proceed the right way to prevent the introduction of French principles? He embarks in the war which weighs down the people with taxation; and he introduces a system of severity which must make them detest, not admire, the constitution we all are so proud to boast of. His Lordship dwelt on what he termed the misconduct of the war, the expensive establishment at Toulon, which ministers knew must be evacuated; and it was therefore a waste of the public money. He considered the treatment of the Duke of Tuscany by administration as altogether scandalous and indefensible; it was a species of conduct that had been revived now, for the first time, after it had lain by dormant and condemned for near a century. What right had we to charge that Prince with want of family affection? What had been the consequence of the former interferences in two known instances? No less than the death of

that relation, for whose safety they had interfered. After a long speech, containing many more pointed observations, his Lordship said; I agree with a noble Earl, that "the eyes of Europe are fixed on us at this moment:" We should shew, by the decision of this night, by the support we give the Amendment, that in Englishmen there continues that true greatness of mind, that would wish to put a stop to the inhuman deluge of blood, which disgraces the powers of Europe engaged in this unjust, unnatural, and impolitic war.

Lord Carlisle desired to be heard, in order to notice what had been said by the last noble Lord. He was not afraid, he said, that it would make much impression on the House; but it might have some effect on the public without doors, if not set to rights: It was on that account that it deserved an answer.

His Majesty's ministers had been charged with having neglected their duty, in having refused to negotiate with M. Chauvelin for securing the continuance of peace with France; but M. Chauvelin had no powers to treat for, or secure peace. M. Chauvelin had come to this country merely to disseminate sedition, not to negotiate peace: But all his attempts were vain; he found the people loyal, satisfied, and happy; and returned to France with the unwelcome report, that it was impossible to prevail on British subjects to lessen their affection for their Sovereign, and love for their constitution.

The Amendment to the Address, his Lordship said, conveyed an unwarrantable reflection on his Majesty's ministers. Its object was to recommend a speedy peace with France, as if they did not desire it; and were they not anxious to conclude it the moment there was an opening for a permanent and secure peace? But could such a peace be negotiated with men who set religion and every moral obligation at open defiance? who gloried in atheism?

Lord Grenville rose a second time, and hoped that every noble Lord would have spoken. His Lordship threw a variety of new lights upon the subject of the debate. He acknowledged it was not surprising, that the noble Earl [Lauderdale] could not reply to arguments he had not adduced; but he would, thus called upon, enter pretty fully into the question, that he might reply to certain assertions which had been frequently urged in the course of that night. His Lordship said, he wished the noble Earl had not ventured to question the conduct of the criminal courts of a distant part of the kingdom, if he had not thought proper or intended to bring the charge forward in such a shape as would admit of full information respecting

respecting it, and a fair and ample discussion. Whenever that should be the case, he pledged himself to shew that in no instance had the laws been wrested for any vindictive purpose—They had been *exerted*, but not stretched; and the occasions had been such as sufficiently called for the vengeance of an insulted constitution. There would, he hoped, be a future opportunity for going thoroughly into an investigation of the business.

The principal point under discussion, his Lordship said, was the question that had been so frequently repeated, "With whom were we to treat?" He would give their Lordships a satisfaction more complete on that point than any surmises or arguments he could himself advance; he would give them the opinion of M. Brissot, a man confessedly at the head of a powerful party, that of the Girondists, whose policy brought the unhappy Monarch of France to the scaffold, and whose crime had been stated by Robespierre to be no less than the plunging of France into a war with this country.

The Executive Power, then, according to M. Brissot, is "any sanguinary monster, who, in the revolutionary insurrection of a mob, is the most ferocious and the most unprincipled." If we could have acceded to terms proposed by M. Brissot, can we suppose that M. Robespierre would not have found it easy to convert into criminal accusation the making peace with a tyrant (for such they had infamously styled his Majesty), in direct opposition to the will of the Convention, who had declared it death to propose to treat with any power, till that power had first acknowledged the sovereignty of the nation, and the justice and propriety of the principles they had established? And could we admit to negotiate with such persons on such grounds? Impossible!

What, said his Lordship, was the opinion of M. Brissot as to our aversion to negotiate? Hear his own words—"The absurd and impolitic decree of the 19th of November, which very justly excited uneasiness in foreign cabinets"—Here you have a justification, by the author of the war, of the feelings and the conduct of the allied powers. He adds, throwing the infamy of that act upon the *Anarchists*, "the death of the King is an impolitic measure, which, with the massacres of the 2d of September, alienated from them all the neutral powers."

At the very moment we were amused with the hopes of peace, Dumourier was preparing to invade Holland. The Executive Council of France only desired him to drive the Austrians from the Rhine, as a preparatory step, and the conquest of Holland would have followed of course. The
plunder

plunder they were to collect in Holland was to have enabled them to have carried on their schemes of subverting every other government; and M. Brissot has confessed, that the vast wealth that was to be acquired, was for the purpose of enriching the tyrants that ruled France.

If we had been even inclined to descend to negotiate with the present men in power, M. Robespierre would tell you, that you could not do so, unless certain previous stipulations were complied with. By a decree of the Convention, France cannot make peace with any power who holds one foot of her territory; previously therefore to a negotiation, the allies must have given up the fortresses they have taken; they must have given up Brabant; and Savoy and Nice must have been put in possession of the republicans. In the West Indies we must have abandoned Cape Nicola Mole; and in the East we must have evacuated Pondicherry, and every other conquest which happily manifests that their power in India is for ever annihilated.

His Lordship then proceeded to shew the nature of the revolutionary power, according to the opinions of M. Brissot, which proved, that it struck at every thing like authority and order, and that the sinews of its power were imprisonment, confiscation, rapine, and massacre.

The noble Earl, he observed, seemed to be completely unacquainted with the present state of France. If he thought that the people were unanimous in any thing, he would tell him, that, from the commencement of the revolution, a period of more violent dissension never existed; nor were the minds of men ever more averse to what pretends to be the executive power of the country than they were at this moment. In Paris there now existed two factions, as much at open variance as the Brissotines and the Mountain had been. The Commune of Paris and the leaders of the Convention were engaged in a violent struggle for the executive power.

Notwithstanding the dreadful denunciations of the merchants, and every description of persons one degree better than the *Sans Culottes*, of Bourdeaux, at Marseilles, and at Lyons, so little dependance can they place on the real feelings and attachment of the people, that at Lyons, for instance, not one wretch could be found sufficiently depraved for their confidence, and Paris was obliged to send and supply the municipal officers of the south. In the capital two committees, as he had stated, were struggling for the ascendancy; and they were deceived, who imagine that the faction, which had discomfited Brissot, might not speedily fall before a more bloody

bloody rival. That the present successful men perceive the same necessity for order as their predecessors, and labour to obtain it, is so ludicrously proved, that, to the astonishment and laughter of all mankind, we find the merciful Robespierre become the advocate of the Christian religion.

Men formerly thought themselves eminently successful in the cause of freedom when they destroyed the Bastile: At the time of its demolition it was a memorable fact, that only two state prisoners were found in it. Look at the prisons of France at the present moment, crowded with unhappy wretches, whose riches constitute their greatest crimes. In all more than two hundred thousand persons have been made the victims of suspicion and the revolutionary power. In Paris, the gaols, the abbeys, every den which they can convert to the safeguard of the only men of worth in France, is full of those unhappy objects of a diabolical vengeance, and about 5000 persons now languish in the dungeons of Paris. Nay, a late and well-known event may shew in a most glaring light, the total indifference to even the miserable forms of justice remaining. A great number of the unfortunate wives, &c. of those unhappy prisoners came in a body to the bar of the Convention, to beseech that their relatives might have the common justice of trial afforded them, that if guilty, they might be punished, but if innocent, restored to their homes; then they were admonished, after some fulsome allusions to the mother of the *Gracchi*, to employ their time better than to think about the destiny of suspected persons. But as something was to be done, a motion was made to refer their cases to the investigation of the *Commissée du Salut Publique*. This was negatived; for it was impossible for patriot citizens to spare sufficient time for so humiliating a task; it was therefore decreed that two members taken from their society, should, just when they had nothing better to do, inquire whether any of them were worth saving, and report accordingly. Thus, in defiance of every principle of law and justice, these persecuted beings were delivered up to the savage judgment of the very men by whose arbitrary authority they were originally compelled to people their prisons.

Lord Grenville, in the course of his reasoning upon the different parts of M. Brissot's address to his constituents of the Eure and Loire, contrasted them with the various statements made by Brissot to the Convention, at the commencement of the present year, in his reports delivered in his capacity of chairman of the *Commissée Diplomatique*; from whence it appeared, that the colouring put upon the most important facts,

particularly with respect to the views and objects of the Convention in relation to the government imposed upon the people of Belgium, and in reference to their conduct to foreign powers, and the means of effecting their purpose in each particular, was totally false and delusive; and that the reports altogether might justly be considered as one continued mass of gross imposition on the public of France, with a view to further the interests and aims of the Girondists (at that time the prevailing faction in the Convention), since Brissot in his celebrated address to his constituents explains the whole mystery, and openly confesses that such fallacies were practised, in order to mislead the people, and establish the tyranny of the rulers of France. In this part of his speech (and it was by much the longest and most essential) Lord Grenville displayed uncommon ability and powers of reasoning. He first read the chosen passages from the diplomatic reports of Brissot, and, after some pointed and illustrative observations, stated the different manner in which Brissot explained the real facts, and commented upon them, in his recently printed address of May last; but as we are not in possession of the papers containing the diplomatic reports of Brissot, it would be a vain attempt to endeavour to follow his Lordship in detail through this very important and very able part of a speech, more remarkable for clearness and address, where the task was in itself complex and difficult, than any speech we ever listened to.

His Lordship concluded with declaring, that he entertained, on what he deemed reasonable grounds, the firmest confidence in the ultimate success of the Allies; and that, feeling the noble task which that House was then met to perform, he deduced from the decision of that night, and the blessing of Providence upon their councils, the restoration of order and government to France; and the preservation of the laws, the religion, and the liberties of Europe.

The Earl of Lauderdale rose to explain. His Lordship declared, he was so far a friend to the doctrine of equality, that in that House he would ever insist on liberty of speech. He had as much right to deliver his sentiments at one time of a debate as at another, and no noble Lord, whether a minister or not, was entitled to dictate to him as to the mode in which he thought proper to discharge his parliamentary duty. With regard to what the noble Lord had said, respecting the allusion he had made to the conduct of a criminal court in Scotland, he was a little surprised, because if he were better known for any one part of his conduct in Parliament than another, he trusted

trusted it was; for not blinking any question of importance, but meeting it in the most open and direct way. He might hardly have been supposed to mention the conduct of the criminal courts of justice in Scotland, if he had not meant to bring the subject forward in a regular shape, as soon as he was perfectly prepared to do so. Such was his intention, when it was convenient to himself. His Lordship added a few more words to prove, that the noble Secretary, in declaring that the republicans of France had passed a decree subjecting those persons to the penalty of death, who made peace with any Power that held a foot of the dominions of France, had been guilty of a mistake, and confounded the idea of that decree, by substituting the words "make peace," for "treat for peace." His Lordship also repeated, that his noble friend's amendment only generally mentioned that his Majesty might be addressed to propose terms of peace, without stating or limiting his Majesty to propose any *precise* terms.

The Lord Chancellor left the woolsack, not, he said, with any intention, at that late hour, to go into a discussion of the subject at large. After the very able manner in which that had been treated by his noble friend near him (Lord Auckland), by the noble Secretary of State, and by many other noble Lords, any observations of his on the propriety and good sense of his Majesty's Speech, or of the Address moved in answer to it, would be wholly unnecessary and superfluous. He troubled their Lordships merely to take notice of a matter, which he doubted not their Lordships would go with him in considering of more weighty importance than even any further discussion of the Speech from the Throne, great and important as that consideration undeniably was. He rose for the purpose of vindicating the character of the judges of the criminal court in Scotland, who had not been made the subject of a direct accusation, which would admit of investigation, discussion, and defence, but in an indirect, incidental, and secondary way, had been attacked in the nicest and most delicate point, that any man bearing the serious, solemn, and important character of a judge, could possibly feel. The noble Secretary of State had taken immediate and proper notice of so unjust a charge, and the noble Earl (who had thought proper obliquely to allude to him, although the noble Earl well knew that he was ready at all times to meet any direct charge) had condescended to say, that he intended to bring the matter forward in a regular shape; but he had neither mentioned the time when he would do so, nor the facts on which he grounded his suggestion.

“ We congratulate your Majesty on the advantages which
 “ have been obtained by the arms of the allied powers, and
 “ on the favourable change which has taken place in the general
 “ situation of Europe, since the commencement of the war.
 “ We have seen with great satisfaction the United Provinces
 “ protected from invasion, the Austrian Netherlands recovered
 “ and maintained, and places of considerable importance acquired
 “ on the frontiers of France: We consider the recapture of
 “ Mentz, and the subsequent successes of the allied armies on the
 “ Rhine, as having, notwithstanding the late advantages of the enemy
 “ in that quarter, proved highly beneficial to the common cause;
 “ and we are also justly sensible of the powerful efforts which have
 “ been made by your Majesty’s allies in the South of Europe.

“ We reflect with particular satisfaction on the manner in which
 “ the operations of your Majesty’s enemies have been impeded, during
 “ so great a part of the campaign, by the temporary possession of the
 “ town and port of Toulon; on the important and decisive blow which
 “ in the evacuation of that place has been given to their naval power;
 “ and on the distinguished conduct, abilities, and spirit manifested on
 “ that occasion by your Majesty’s commanders, officers, and forces,
 “ both by sea and land.

“ We beg leave to express the satisfaction which we also feel
 “ in seeing that, during the course of the present year, the French
 “ have been driven from their possessions and fishery at Newfoundland;
 “ that important and valuable acquisitions have been made both in
 “ the East and West Indies; and that while our naval superiority
 “ has been undisputed, our commerce has been so fully and effectually
 “ protected.

“ We can assure your Majesty that we are strongly impressed
 “ both with the necessity of vigorous and persevering exertions,
 “ and with the expectations of ultimate success, from the consideration
 “ of the means by which the further progress of the allies has
 “ hitherto been impeded, and of the system from which our enemies
 “ have derived the means of temporary exertion; such a system,
 “ disposing arbitrarily of the lives and property of a numerous
 “ people, and violating every restraint of justice, humanity, and
 “ religion, has necessarily been productive of internal discontent
 “ and confusion, and has tended rapidly to exhaust the natural
 “ and real strength of that country.

“ While we join with your Majesty in regretting the necessary
 “ continuance of the war, we are confident that your Majesty’s
 “ concern for the essential interests of your people will

“ will induce your Majesty to persevere in the pursuit of those
“ objects by which alone the solid blessings of peace can be
“ secured; and to take such measures as may most effectually
“ provide for the permanent safety of your Majesty’s people,
“ and for the independence and security of Europe. It is im-
“ possible for us not to see that the attainment of these ends is
“ still obstructed by the prevalence of a system in France,
“ equally incompatible with the happiness of that country,
“ and with the tranquillity of all other nations; and, under
“ this impression, we fully concur in the just and benevolent
“ sentiments manifested in the declaration which your Ma-
“ jesty has graciously been pleased to communicate to us; and
“ we have seen with the utmost satisfaction so large a part of
“ Europe united in a cause of such general concern.

“ We acknowledge, with pride and gratitude, the gracious
“ manner in which your Majesty is pleased to express your
“ Majesty’s sense of the unshaken loyalty and firm attachment
“ to the established constitution and government, which, not-
“ withstanding the continued efforts employed to mislead and
“ to seduce, have been so generally prevalent among all ranks
“ of your Majesty’s subjects. The zeal and alacrity of the mi-
“ litia, and the distinguished bravery displayed on every occa-
“ sion by your Majesty’s forces both by sea and land, have af-
“ forded eminent proofs of the same spirit which pervades and
“ animates every class of the nation; and encouraged as your
“ Majesty’s forces have been by the distinguished example of
“ your Majesty’s illustrious progeny, and by the sense of the
“ blessings which it is the object of all our exertions to pre-
“ serve, they have maintained the lustre of the British name,
“ and have shewn themselves worthy of the cause in which
“ they are employed.

“ We intreat your Majesty to be persuaded, that, in all
“ our deliberations, we shall bear in mind the true grounds
“ and origin of the war. We remember with just indignation
“ the attack made on your Majesty and your Majesty’s allies,
“ grounded on principles which tend to destroy all property,
“ to subvert the laws and religion of every civilized nation,
“ and to introduce universally that wild and destructive system
“ of rapine, anarchy, and impiety, the effects of which, as
“ they have already been manifested in France, furnish a
“ dreadful but useful lesson to the present age and to pos-
“ terity.

“ We will on our parts persevere with union and vigour in
“ our exertions, sensible that by discontinuing or relaxing the
“ present efforts, we could hardly procure even a short interval

“ of

ment, and having there universally spread her frantic system of desolation, would at length bring her destructive principles into full operation in this island. We might not be the first sacrifice; but assuredly neither we nor any existing power in Europe could long escape her merciless dominion: No one, he thought, could doubt of this, who considered the present character of France, as evinced both in her avowed principles, her deceitful professions, and her public conduct.

Peace, every friend to his country most certainly wished for; but it must be a peace in fact, and not in semblance only; a peace of permanency, not a temporary and delusive repose. At present it was not to be obtained with safety; and any suspension of hostility would in the end undeniably prove a most destructive delusion. Among the many acts of horrid atrocity in which the present Convention of France gloried, it was impossible, his Lordship said, not to remark one, which partook, however, of the attribute of justice. Brissot and his faction projected and effected the murder of his Sovereign, and the destruction of monarchy. Brissot, and the accomplices of his deeds, had recently perished on the scaffold which they had themselves erected and supplied with victims. In this fact, he saw not only a strong instance of justice, but a well-timed warning to those who might think lightly of monarchy; an establishment, under proper limitations, so essential to the security of property, and the protection of individuals. It was no small satisfaction, he declared, to find the sense of the people of this country in general so consonant to sound reason and their true interests. The protection which the constitution afforded them, they gratefully repaid by the most sincere loyalty, the most unfeigned attachment, and the most becoming submission to due subordination and order. All the malicious endeavours of the disaffected had failed; the good sense and honest disposition of Englishmen had been proof against all attempts to infuse sedition into their minds and to excite them to encourage proceedings tending to anarchy and revolt against the established government.

The wise and vigorous measures adopted in the last Session, his Lordship said, had been productive of the most beneficial consequences to the peace and prosperity of this kingdom; by them the Jacobinical factions, which had been engendered by art, and still lurked among us, had been expelled. In Ireland, efforts no less daring and violent had been resorted to by the same agents, or those actuated by the same principles; but the power of reason rose pre-eminent over the intrigues of villany and anarchy, and the tranquillity of these countries

countries were now, he trusted, happily secured from all violation or chance of being disturbed and overthrown. To render that tranquillity permanent, to maintain our national honour and character, and to make the whole civilized race happy, were objects which, he had no doubt, a firm perseverance in the war would effectually secure.

The war, his Lordship contended, was not only just and politic, but forced on us by a necessity which left us no option.

The circumstances of the war, he said, were neither discouraging in themselves nor dishonourable in effect. The territories of our allies had been, since the period of our being forced, by every possible aggravation, and by every principle of self-defence, to take part in it, restored and protected; our commerce had suffered no material curtailment; the disposition of a great majority of the people, he was sensible, was friendly to the laudable pursuit of suppressing the dreadful reign of outrage, bloodshed, and rapine; and the system on which our sanguinary foes carried on the war, could not be of long duration, as their desperate resources must have their limits. They declared war, and commenced hostility. The late temporary success of France on the Rhine had again demonstrated her principles, and the views of her advocates at home. Wherever she conquers, her armies shew the same spirit of pillage and devastation they shewed last year in the Netherlands; while at home, we find, on the first news of her success, the enemies of our constitution creep out again like beasts of prey from their secret dens. He hoped, and doubted not, however, that every attempt of this nature would instantly be crushed by the united spirit and loyalty of the people. After other pertinent observations, his Lordship concluded by reading the Address he moved, which, as usual, was an echo to his Majesty's Speech, adopting the principles, and admitting the facts it contained.

Sir Peter Burrell rose to second the motion. He declared, that he should not have come forward, on the present occasion, in so conspicuous an undertaking as that of seconding the Address, did he not feel a thorough conviction that it behoved every man, who entertained a wish for the well-being of society, the protection of his country, his liberty, his laws, and his property, and who held in abhorrence acts the most atrocious and sanguinary that ever disgraced the human race, boldly and unequivocally to come forward and avow his principles. Engaged, as we were, in a war with an enemy who reviled all social and moral ties, who had declared eternal hostility against

every fixed system of government, and whose unprincipled and desperate efforts at universal dominion threatened the well-being of every orderly state, and the very existence of civilized man; how could a peace, at such a time, be proposed consistent with the welfare of this kingdom, and the protection of his Majesty's allies? To make a separate peace would be incompatible with the character of Englishmen, who, true to their faith and their treaties, will not forsake those powers who are engaged in the cause of mankind, whose territories in that case must, ere long, become provinces to France, and be subjected to their unbounded ambition and cruelty, in which case this country must be liable to the insults, oppression, and finally, perhaps, to the dominion of an implacable, inveterate, and, he would add, natural enemy, whose government is founded on bloodshed and rapine. It was no common enemy we were to apprehend and guard ourselves against in the French nation. Revenge, and not possession, was the object of their efforts; to destroy, not to enjoy, their pursuit; nor would success alter their principles. The present war could not be viewed in the partial light of a contest between England and France; nor could any interested motives in the prosecution of it be possibly ascribed to us; it was a war of almost all the powers of Europe against a set of vile usurpers, who, to accomplish their projects, respect neither man nor property, and are laying their own fertile and beautiful country in ruins; who have destroyed religion in the expulsion of their clergy, and the open avowal of their infidel principles; who have banished order by the abolition of distinctions and necessary gradations; who deem the success of the merchant, in the acquirement of property by his industry, an act of treason; who bring to the *guillotine* all men of wealth; who oblige the tradesman and shopkeeper to dispose of their articles at prices arbitrarily fixed by their agents; and whose mode of taxation is one invariable system of plunder and robbery. Such was the example which the common enemy of mankind displayed at this moment, to an astonished, affrighted world; but, to give a just picture of all their iniquities, it would be necessary for him, he said, to enumerate the various circumstances which had occurred since the commencement of the revolution in that country.

It had been expected, that the light of order would gradually have broken in on the stormy clouds of the revolution; but this hope was vanished. The actors were changed, but the scenes continued the same. The theories of *Marat*, from which France herself shrank with horror, when they were first

first broached, were realized and carried into practice. The execution of their fellow-citizens constituted the chief amusement of the people.

The views of the French rulers soon disclosed themselves after the memorable battle of *Jemappe*. They at once avowed their intencion to erect a sovereign power on the ruins of civilized society. The nation, loved by some, feared by many, and imitated by more, had sunk since that period into the lowest debasement. If we had been cajoled by them in 1792, what would have been our situation at the present moment, when Brissot and the rulers of that moment were no more? The French nation had since that time declared their purpose of waging a war of extermination against this country. Their inclination in this instance happily outran their power.

If a peace were desirable with such men, it had not yet been stated how this peace was to be obtained. Were we to solicit their forgiveness? We should find in this case something to deter us in the example of the city of Lyons. The late successes of the French were not to be regarded as an object of surprise, where the property and the personal services of the subject were equally at the command of the ruling powers. It was not to be expected that the allies could in the first instance have resisted a movement of this extraordinary description. It should serve only to put them on their guard, as there was unhappily no part of Europe sufficiently out of the reach of their sudden excursions. It became Englishmen particularly to consider, that, in the safety of Europe, that of our island was involved; and that, if the Netherlands fell a prey to the French, our cause might be considered as lost!

England, at the opening of the present war, was not sufficiently prepared, and for a very extraordinary reason. All parties had agreed, that our peace establishment should be reduced to its lowest standard, on the ground that nothing was now to be feared from France, the ancient enemy of this country!—The relative situation of both countries was within the last year completely changed. We were now in a state of vigour and active preparation. France had been nearly driven within her proper boundaries. Her country was at present the theatre of war, and the means intended for aggression she had been obliged to convert to the purpose of her own defence. In this respect only were circumstances changed. Her dispositions were still the same; ruin and revenge were still her objects, and terror was still her means! Great Britain, always renowned for the brilliancy of her achievements, and which, since the commencement of the present war, had displayed

acts of bravery, courage, and generosity, that will ever live to her honour; shall she bow to the savage barbarity of her foes, when the means of conquest, and a glorious issue to the war, presents itself to her view? Convinced that such means were within our province, in concert with our allies, he should conclude with giving his hearty assent to the motion of thanks.

Mr. Sullivan said, that he could not give a silent vote on this truly important occasion. The motives for commencing the war, in his opinion, still continued in full force. If France had depended on her regular resources, she must before this time have been subdued. Their means of supporting it were most extraordinary and most unnatural. It was like a convulsive effort in the human frame, which, though powerful at the moment, tended in the end but to weaken and enervate.

Lord Wycombe avowed that he was one of those who, last session, when the question of war was brought forward, were of opinion that it was a measure unnecessary and impolitic, convinced that the objects of it were attainable by negotiation, and that good and salutary provisions might have been procured by us for the oppressed, and protection for the innocent. He thought at that time, and still continued to think, that by so doing, we should have prevented, through our influence, the fate of the unfortunate Monarch and his Queen, which was now so much the object of our condemnation and pity. Since that period, he had properly matured his ideas, and could find no one circumstance that had occurred to induce him to alter his opinion on the subject; on the contrary, he thought every recent event had proved it to have been well founded; and the ill success which had attended our arms on the Continent, in several expeditions, afforded but a distant prospect of our efforts being ultimately crowned with success; and the *real* objects of it were every day moved still farther from our attainment. Notwithstanding the interpretations of success given to our various concerns in the war, he should boldly say, that, far from subscribing to this fond doctrine, he considered the arms of Great Britain as having experienced defeats, and (through the imbecility of his Majesty's ministers) misfortunes of the most discouraging nature. When the idea was first brought forward of a war with France, the general opinion was, that the British navy, without comparison the greatest and most complete in the world, would ride victorious over the sea, and shortly annihilate that of France, reduced in its strength by a diminution of its number, and the defection of its officers; in which, however, we are proved to have

have been mistaken; for, notwithstanding the superiority of its force, the seas remain unprotected, and our trade and commerce are daily suffering by the captures made by the French, particularly on the Newfoundland coast; and from the river St. Lawrence to the Gulph of Florida. Our first expedition against Martinique was conducted in such a manner as he trusted would excite further inquiry and investigation. Jamaica was left unprotected to meet its fate. In the next place, the unprotected situation of our trade and possessions along the whole coast of North America, &c. required attention. When we consider the nature of our West India trade, the produce of those islands coming home from them along the whole American coast, what shall we say to the French having the uninterrupted and undisturbed command of that extensive range? But for the insubordination of the French crews, Newfoundland, Halifax, and our other possessions in that part of the world, would most probably have fallen a sacrifice to the force which was fitted out against them. Of the Channel fleet and its operations, his Lordship would forbear saying any thing at present, as his Lordship purposed making that a subject of distinct inquiry hereafter. The expedition unfortunately undertaken against Dunkirk, he could take upon him to affirm, was contrary to the opinion of the best-informed men on the subject; and that the only fruit that had resulted from it, was the unfortunate circumstance of having weakened our allies, and exposed ourselves to disgrace. To the expedition against Toulon, similar reprehension would be found to attach, inasmuch as, after all our waste of blood and treasure, it was found to be untenable. With respect to Dunkirk indeed, particular blame was due, because it had been undertaken without the adequate means of success. As a particular proof of this, such gun-boats as were constructed for that occasion, were neither ready in due time, nor capable of carrying guns of a calibre fit to cope with those of the enemy. Nieuport must have fallen into the hands of our enemies, but for the timely assistance afforded to it by the arrival of his Honourable friend, General Grey.

Of the West India expedition (under Sir Charles Grey and Sir John Jarvis) Lord Wycombe said, that he should have entertained every hope from the known abilities of the commanders; but their force had been so maimed and curtailed, previous to their final departure, that he doubted if ministers themselves could entertain any very sanguine hope from their exertions.

The conduct of ministers to neutral powers would form, he trusted, also another object of serious investigation. He alluded particularly to the order of council, for intercepting American ships laden with the produce of the French colonies. The late speech of the President, Mr. Washington, shewed, that the Americans were not disposed to be trifled with; and, from his knowledge, he could aver, that there was no circumstance, which the Americans would be inclined more strongly to resent, than such an attack on the freedom of their commerce.

His Lordship's remarks tended in general to prove, that the British arms had suffered defeats; not from any declension of their bravery, but from a want of system in those with whom the direction of the war rested; and made some very pointed geographical observations on the several seats of war, expressing his conviction, that a prosecution of hostilities could tend to no other purpose than that of weakening our strength and our resources, and of course rendering us more insecure from those evils which we deprecate in the French government, which we are so anxious to guard against. He concluded with moving an Amendment to the motion, thanking his Majesty for the communication he had been graciously pleased to make to that House, and earnestly recommending to him to adopt such measures for bringing about a peace, as to him might seem wise and fit.

Sir James Murray rose to set the noble Earl right with respect to the relief of Nieuport. The Duke of York had sent orders, and had taken steps which compelled the French to retreat from all the posts which they had assailed.

Lord Wycombe demanded whether *Sir Charles Grey* had not sent an officer on shore, to announce to the commandant, that the next morning a reinforcement would arrive; and whether the commandant did not declare, that he was unprovided with ammunition—but on this promise he agreed to stand out, and the place was saved?

Sir James Murray said, he could not tell any thing of that; he only knew, that hopes were given to the Duke of its being able to hold out for a time.

Col. Tarleton rose to oppose the Address, and condemned the war in its undertaking and conduct. If Addresses, and the business of Parliament, were become a mere form, and lost their spirit; if they were to meet as a matter of course, to thank the minister for losses and disgraces; what hindered, that proclamations were not substituted in their stead at once, and allowed the force of law? How could they justify themselves

selves to their constituents, in raising taxes for the purpose of carrying on an useless and ruinous war, and supporting a set of beggarly allies? Looking at the situation of Europe, it must have been evident to all, that civil war was inevitable in France without the aid of external hostility. It was by combination alone, that the Jacobins became triumphant, and by the efforts of their external foes they were enabled to depress their internal enemies. On the other hand, we were in full possession of domestic happiness and tranquillity, of trade and power, reaping all the benefit from the distraction and distress of our neighbours. What then could have induced us to mix in the war? After all that had happened, the Colonel said, it was the duty of that House to express their sense of the manner in which the war had been conducted; and he conceived the mere detail and narrative of facts would be the severest censure that could be cast upon the authors of them. When the British lion was once roused, much was naturally to have been expected; but he would ask, what, after an exertion of twelve months, had been done? Merely nothing? If, indeed, a proper force had been early directed along the Seine, it might have reached Paris, and much benefit been derived from it, by affording the royalists an opportunity of displaying their true sense and wishes. By this measure, a fair inference might have been drawn speedily; either a fortunate issue to the event, or else a demonstration of the utter impossibility of conquest. He conjured the House to interfere, and not suffer the ministry, by the pursuit of temporizing measures, to suffer our trade to be interrupted, and our arms disgraced. He reminded them of the various disasters that have befallen us; the expedition under Gen. Grey, crippled; Toulon evacuated; our General there a prisoner; and our commissioner, an honourable Baronet, a member of that House (Sir Gilbert Elliot), unable to communicate either confidence to our allies, or comfort to his country. He meant not, he said, to dwell on the long catalogue of ministerial errors in the conduct of the campaign; they were too notorious to need repetition: Commerce was the offspring of peace; and we, as a commercial nation, should cultivate it strongly. War was the curse and ruin of such a people. He understood that a right honourable member (Mr. Dundas) asserted in the last session, that the multitude of bankruptcies proved the flourishing state of the country. If that were true, we certainly had the most ample testimony of our increasing prosperity, in the universal decay of trade in all the manufacturing towns in the kingdom. If Britain were to withhold

her assistance, the allies would be instantly beaten, and the sword sheathed. The present situation of the combined powers affords an awful and an useful lesson: The picture is greatly different from that which might have been sketched in the case of our neutrality. The Austrians and Prussians would have found their weakness, and have seen their resources exhausted. We now offered to the world, the extraordinary sight of a commercial people paying half the princes of the globe, for fighting battles, in which we had at most but a secondary concern. When Gentlemen supposed France unable to resist her numerous assailants, let them remember the exploits of Salamis and Thermopylæ, and reflect what exertions the love of our country can inspire. Had we avoided the present war; had the money we had squandered, been more rationally expended, on our commerce, our marine, and our manufactures; we should have preserved our prosperity and domestic quiet, enjoyed all the advantages of peace, respected and admired by all, while distressed nations would have solicited the shelter of our wings for protection.

The blood that had been spilt he conceived to be mostly attributable to this country; for if we had not interfered, the Austrians and Prussians would long since have seen and acknowledged their inability to conquer France, and consequently the sword of desolation would have been sheathed. The Colonel concluded with declaring, that, being fully convinced of the folly and madness of the war, he should give his hearty assent to the Amendment.

Mr. Hawkins Brown said, on so important an occasion he would not give a silent vote. He supported the Address, in a very sensible and pertinent speech. He denied that the object of the war was the restoration of the monarchy of France under any form: Its object was to secure the civil order of society in Europe; and when that was obtained, the form of government which France might assume would be a matter of indifference; but while the French adopted a form of government that endangered all social order, whether it was monarchical or democratical, such government was in its nature generally aggressive, and provoked opposition from a principle of self-defence.

Mr. Courtney expressed his surprise at the objections stated in the Speech from the Throne to any negotiations for peace. He professed he knew not any sound reason that could be advanced against it. He took notice of an expression which had fallen from the noble Mover of the Address, respecting the assassination of Brissot and the other deputies; and expressed his

his astonishment that so foul a murder should have been coloured by the appellation of justice. The war, in his opinion, was a war of aggression on our parts; and the first provocation had been given by the insulting rejection of Mons. Chauvelin, the French Ambassador, and the harsh restraints imposed on our commerce with that country.

He observed, that the Defenders in Ireland had been mentioned by the noble Lord, as a proof of seditions existing in that kingdom; but it was notorious that these commotions had existed for the last thirty years, and always on the same plea of oppressions exercised on the lower classes of the people. If loyalty had there shewn itself more in the shape of rigorous prosecutions, it was only because there was comparatively a greater number of pensioners in that kingdom, and with this class of men their love for their country was in an exact *ratio* with what they got by it.

The noble Lord, who moved the Address, seemed to have no objection to a peace with France, provided we first conquered that country. Why a peace should not be made before, his Lordship would probably find it difficult to make out. His present argument put him in mind of a species of courtship in Ireland, where it was necessary to commit a *rape* on the woman, in order to marry her afterwards. The honourable Baronet who had seconded the Address, appeared in the true spirit of an alarmist, to despair of the country, by way of encouraging us to carry on the war. He could wish that, however hateful Jacobinical feelings were represented, the honourable Baronet had imbibed some of the French enthusiasm, which led them to despise danger, and to emulate the best efforts of the republics of Greece and Rome. The Gentlemen on the other side affected too much to despise the French, whilst their sentiments too plainly betrayed their fears. They sustained their feelings only by descanting on victories which were never heard of, until they were first promulged in the Speech from the throne. Mr. Courtenay had not before heard of our triumphs, which were now quoted for the purpose of leading us to new exertions. He had heard, on the contrary, of the port of Corke having been blocked up, and of several of our victuallers having been taken by the French cruizers. He could not divine in what way those new exertions were to be effected. What number of men could we now send to the continent? The Prince de Cobourg had 120,000 men at the commencement of the present campaign; the Duke of Brunswick had 100,000, yet had he been obliged to retire before General Hoche, a commander taken from the ranks.

And the French, who had made these prodigious efforts, were represented as starving. This afforded some clue to the policy of the minister. It was probably his view to reduce the people of this country to the same starving condition, in the hope that it might drive them to similar exertions.

There was, however, a shorter way to every desirable end. It was only the pressure of the combined powers, which gave energy and weight to the authority of the usurpation in Paris. The attacks from without gave the leaders in the Convention the sole authority which they possessed within the republic. Let the former be removed, and the people of France would soon look to their internal government: Robespierre and Danton then, and not till then, would be found to possess as small a share of respect as the present ministers of this country!

But it had been the wish of the Right Hon. Gentleman opposite to him, to shew himself a great war minister, like his father: He had now tried the slippery ascent, and must have felt his failure. If the present Earl of Chatham had ever such a purpose in view, it was equally incumbent on him to retire. To either may be applied what was once said of the son of an eminent literary character,

“ He tries to write because his father writ,
“ And shews himself a *bastard* by his wit!”

The purposes of the combined powers, Mr. Courtenay observed, were easily to be collected from their conduct in Poland. Why had not ministers, who had been so eager to assist the Dutch and the Netherlands against the depredations of their neighbours, done something in behalf of that unfortunate kingdom of Poland? If the unfortunate King of that country had attempted to establish arbitrary power in his realm, he in all probability would have been subsidized and supported. He lent his sanction to the cause of liberty, and was stript in consequence of every type of regal dignity. To act with such men was degrading to the British name. If we wish to dissolve this vile connexion, and at the same time to destroy the French Jacobins, this could only be done by making an immediate peace with France.

Lord Clifden rose to explain. He said, that he had not attempted to vindicate the execution of Brissot, and the other deputies. In his mind it was only the cause of one set of assassins triumphing over another.

Mr.

Mr. Courtenay replied, that the noble Lord had called it "an act of justice," an expression which certainly implied something meritorious.

The Earl of Mornington began an able but long speech with saying, that he would endeavour to shew, as shortly as he could, that the same necessity that there was to commence the war, still existed in all its force to compel us to the further continuance of it. The nation were convinced, and would always bear in mind, that in the origin it was a war of justice, necessity, and policy; that it was a war into which we were forced by the aggression of France: But if there was any one man in this country not convinced of this fact, his Lordship said, he held in his hand an authority which no man would dispute; he meant the pamphlet of the celebrated Brissot. If that philosopher were brought to the bar, and stood convicted of all the atrocities that have been justly imputed to him, still his evidence, as to the designs of France, as to her preparations, as to her conduct with respect to neutral nations, and particularly to England, would be received as most conclusive proof. What does Brissot, who was the soul of the Revolution of the 10th of August, and who was the great mover of one of the great parties, say of the decree of the 19th of November 1792, commonly called the Decree of Fraternization, or, in other words, of instigating the subjects of the different powers of Europe to rise in insurrection against the constituted authorities? "The absurd and impolitic Decree very justly excited uneasiness in foreign cabinets." That decree still exists in France; for no one of the acts, that have been done by the present party, have truly and effectually done it away. The same spirit of fraternization is still manifest in their actions, though disavowed in their writings. They have in all countries, where they have had ministers, uniformly and constantly employed the same atrocious means. Do we not see, from the speech of Mr. Washington, and from the correspondence that has been published, the conduct of citizen Genet in America, how he insulted the first magistrate; he established popular and disorganizing clubs; he embodied armed men; he erected a consular tribunal for the condemnation of prizes; and all this he has done with the applause of his country. In the same manner did their ministers act at Constantinople.—There also they erected Jacobin clubs. In the West Indies they proposed a still more horrid measure, that of putting arms into the hands of the Negroes, in order to commit a general massacre of all those who should object to their new system of things; by

equal to the whole national debt of England. [The error in this statement was immediately noticed by the Chancellor of the Exchequer, and instantly corrected by his Lordship.] They had estimated the whole property of France at 120 millions; so that they spent in one year 196 millions more than their total capital. And how did they support this? By means which could not last; by assignats, which grind the poor, cheat the rich, foment avarice, and promote speculation: By forced loans of the most extraordinary kind. They established one in August of a most singular sort: On all salaries and places of 40*l.* a year, the tax was 4*l.* and so on till it rose to 400*l.* But when it came to 400*l.* the tax was 220*l.* On all places and salaries above that sum, the tax was first 220*l.* on the first 400*l.* and on all above that sum, so that no man was to retain above 180*l.* a year; and all this was to be paid before the month of March; and by this loan they are to get into their hands 40 millions sterling. What a plan of finance was this! What should we think of the Chancellor of our Exchequer if he were to come forward, on opening his budget, with a plan for raising armies without taxing the people; and if he should call for a forced loan on all property, and should reduce every man of fifty, ten, five, two, and 1000*l.* a year to 180*l.*? In the same manner had they made their attacks upon commerce, they had reduced it to a non-entity; but they had made a kind and merciful decree, that any man who should prove that he was completely ruined, should have an indemnity. Cambon had made a report on the growing indignation against gold and silver. He had a scheme to bury it again in the bosom of the earth. And what was his scheme? A decree to arrest all persons who should be found to have concealed their treasure in the bowels of the earth.

His Lordship next came to their attacks upon religion; and he exemplified the connexion between religion and moral order by citing the memorable speech of the Abbé Seyes, when he came to the bar to make a surrender of his indemnity. "In the rigour of my judgment," said he, "I abandoned religion, and then insurrection came into my heart." It is said that they have now established a sort of religion; the House would see from Robespierre's manifesto what that religion was: His words were—"What, accuse France of irreligion! we, who have worshipped God by the murder of Kings?"

He next adverted to their criminal justice, which, he said, they made an object of revenue, and that 1000 executions had taken place in Paris since May last, for pretended State crimes alone. It was a remarkable fact, that, during the whole reign of the late unfortunate Louis, not one such execution

tion had taken place. His Lordship entered at great length into each of the circumstances at which it is only possible in this report transiently to have glanced, and from these he drew the conclusion, that though the power of the Republicans of France had in this campaign appeared to be formidable by their requisitions for raising the people in a mass, by their system of terror, by putting the guillotine into permanent activity, by their *guillotine ambulante*, and by the still more horrid engine of martial law, exercised with all their armies; though by these extraordinary means, they had displayed irresistible energy in momentary efforts; yet it was in some degree consolatory to reflect that it was a power which must exhaust itself, and could not endure. Notwithstanding all this system of terror, the spirit of revolt was not extinguished in France. In no less than forty-three departments the standard of Royalty had been raised; and now at Lyons, in their dying agonies, the people still expressed their regard for Louis. Even if a general sentiment for peace should shew itself, his Lordship said, it could not be obtained; they had pronounced it to be treason to enter into any negotiation for peace, till the unity and indivisibility of the Republic should be acknowledged; and by this they meant to include all the departments which they had seized upon from our allies; and of course we could not make a peace with them without abandoning our honour. And how could we procure any other than a deceitful repose, until we shall find a government in which we can have security? He appealed therefore to those who had agreed to enter into the war last year, if they would now consent to give up the contest? He appealed to them, if they did not feel less alarm at present than they did at the commencement of the last campaign? To what did they owe this, but to the barrier which we had been able to erect between ourselves and them? And whether, after the successes we have obtained, it is not better to go on, than to trust to the religion of Robespierre, whose piety consists in the murder of Kings? to the faith of Cambon, whose system of finance is to be established on the proscription of gold and silver? to the moderation of Danton, who declares it to be treason to enter into a negotiation, without abandoning the cause of our allies? or to the friendship of Barrere, who has pronounced, in his report upon Toulon, that France never shall stop till England is overthrown?

[His Lordship was more than two hours on his legs, and his speech, of which the above report, from necessity, can only be considered as an imperfect sketch, was allowed by all who heard it, to be one of the most comprehensive, animated, and masterly of its kind of late years delivered in the House of Commons.]

Mr.

Mr. Sheridan obtained the next hearing, and set out with observing that the Noble Lord who had just sat down, had divided a speech, more remarkable for its ability than its brevity, into two parts; into a detail of the atrocities that had been committed in the course of the Revolution in France, and into a declamation upon them, in which he had thought proper to read a great number of extracts from a pamphlet of Brissot, and had in reality put that gentleman upon his trial. He did not see any other of the learned gentlemen, connected with Administration, rising in support of the prosecution, nor did he think that the Speaker was yet ready to sum up the charge. In that state, then, he hoped he might be permitted to say a few words to the real question. He admired the emphasis of the noble Lord, in reading the extracts from Brissot; he admired too his ingenuity in his observations upon these extracts; but he could not help still further expressing his admiration that the noble Lord should have thought proper to have taken up so many hours in quoting passages in which not more than one word out of ten was to the purpose; nay, in which every passage was truly and most forcibly against his argument. The noble Lord had set out with making a variety of quotations to prove that France had begun the war with Great Britain. Why the noble Lord thought it necessary to bring this forward on the present occasion, was manifest from a passage in the King's Speech, desiring the two Houses to bear in mind the real grounds on which the war was undertaken, and the causes that led to it. What the real grounds of the war were, *Mr. Sheridan* professed he did not know, for they never had been explained either to that House or to the nation, nor had he ever been able to divine them; but he knew the means by which we had been brought into this war; we had been brought into it by repeated declamations on all that the frenzy, folly, and rashness of individuals in France, had either said or written, by which the passions of the country could be roused, or their fears excited, in order to second the views of those who had determined to plunge us into it at all events. The same sort of recapitulation, the noble Lord now thinks proper to make upon precisely the same sort of authority, in order to provoke us to the further continuation of it. What was the sum of all that he had told the House? that great and dreadful enormities had been and were still committing in France; enormities at which the heart shuddered, and which not merely wounded every feeling of humanity, but disgusted and sickened the soul. All this was most true; but what did this prove, except that we had driven the people to a state of madness, and that, furious and desperate, we had destroyed, or lulled to sleep,

sleep, those sentiments of humanity, which could only be found predominant in a state of reason? We called them monsters; and we hunted them like monsters, we drove them to the extremities that produced the evil; we baited them like mad beasts, until at length we made them so; we were, in truth, the authors of every one of these calamities, for judge of human nature as it is, deprive it of all rational hope, destroy all fair combat, and treat men as beasts and monsters, and all history will prove that you make them so. Such has been your treatment of France. You have made the monsters of which you complain. You cut them off from all the world; you hunted them in their inmost recesses; you treated them with every species of contempt; and now you come forth with declamations on the horror of their turning upon you with the fury which you yourselves inspired.

The noble Lord, in going over the pamphlet of Brissot, Mr. Sheridan observed, tells us rather whimsically, that he passes over this passage, and runs over that, in the very moment, when, by the bye, he enters more particularly into the detail of both; and disclaims all idea of entertaining the House on the subject, when at the same time he dwells upon all the most minute particulars, and omits no one of the passages which he pretends to pass over; and all this is done to shew the House, that the system now adopted by the government of that country is so abhorrent to the feelings of human nature, so contrary to all the natural love of harmony and of social order implanted in the heart of man, so ruinous to external force, as well as to internal peace, prosperity, and happiness, that it cannot stand. Is this the conclusion that the noble Lord wishes to draw from all the details that he has taken from the publications of Brissot? I close with him on the subject. Admit his facts, grant that the system now prevalent in France is all that he has called it, and what ought to be the consequence to us? that we ought to leave to the natural workings of the discords which it is calculated to engender, the task of its overthrow. That if it will not stand of itself, it is not necessary for us to attack it. That if it be an opposition to all the feelings that God hath planted in the heart of man, it is an outrage on the Deity, feebly to interpose our weapons where he has already erected the certain causes of its fall. Why dare to take the thunderbolts out of his hand, and strive, by the petty force of human opposition, to accomplish that which is in the settled order of eternal Providence.

The noble Lord has quoted a number of passages from Brissot, to prove that a system of fraternization, which was one of the pretexts on which we went to war, is still, in reality,

which has thinned our ranks, has only served to make us more formidable. The alarmists will hear this with new apprehensions; they will no doubt return to us, in order to diminish our force; and we shall swell our numbers, in order to come nearer in a balance of insignificance to the numerous host of the Majority.

The noble Lord, in summoning up all the details into which he has gone, calls upon gentlemen to say, whether they do not feel more confidence, and are not less alarmed at this time than they were last year? The question is apt, and well put: I have no doubt, but gentlemen are less alarmed. Why? because they have found out that they were alarmed without reason, because the bugbear is vanished, and they now see that the miserable delusion, by which we were drawn into this war, had no rational foundation, and could not stand the test of time and truth. All the noble Lord's arguments, and all the result of his industry in the quotations that he has made, is to hold out an assertion to the House, that we were forced into war by the aggression of France, and that it was of course on our parts a measure of necessity, and not of choice. Why this assertion is so eternally made, though it is so feebly maintained, can only be accounted for, by the supposition that Ministers find it necessary to their present embarrassments, to delude the public with the idea, that as France declared the war, France is indisposed to peace. Mr. Sheridan said, he could take upon him to assert, that they never have made out, to the conviction of any reasonable and independent mind, the fact that the French were anxious for a war with England. On the contrary, it is manifest from all their conduct, that they were hostile to the measure, that they have demolished the party who seemed in the least to favour it; and he believed that they would not only be ready to make peace with England upon terms, not merely of safety, but on terms which are honourable and advantageous to the Empire. He declared, this from the view of their public declarations. They have, he said, pledged themselves to the people, that they have abandoned all idea of spreading their doctrines over other countries: they have declared that their only task is to establish such a Government as the people shall choose for France; and therefore the obvious conclusion is, that they must at all times be ready to treat with their enemies, upon the principle of being left to the exercise of their own will within their own boundaries.

The noble Lord must excuse him, Mr. Sheridan said, if he asserted in direct contradiction to his opinion, that the war was not a war of necessity on our part, but a war of choice; and he

was

was astonished to find that the Right Honourable Gentleman himself (Mr. Pitt) does not feel it necessary to his own dignity to own the fact; he wondered that he does not feel shame at the notion of calling it a war of necessity. Would he make this assertion to his allies? Will he meet the question fairly? Would he have stood still, and seen the Austrians, the Prussians, and the other states of Europe, encounter France by themselves, if France had not committed an aggression upon us? If he says this, mark the dilemma into which he brings the nation. The war is called a war for human order, for the preservation of morals, of property, of religion, and of all that is dear to human kind. Does he then mean to say that he would have stood still, with his arms folded, and have suffered human order, government, morality and religion, to take care of themselves, if France had not implicated Great Britain by a special offence? Will the Right Honourable Gentleman say so to the King of Prussia? The King of Prussia, Sir, at this moment tells you, even with a menacing tone, that it is your own war; that it is a war which does not come within the tenor of his treaty of defensive alliance, and that he is not therefore bound to furnish the troops for which he stipulated on the event of your being attacked. He says, that you made the attack, on principles, to be sure, which he calls just, but he demands a new subsidy, if he is to continue to fight your battles. To call it, therefore, Sir, a war of necessity, throws a meanness on the cause in which you are plunged. You must either abandon the assertion of its being a war of necessity, or give up the boast of its being a war of principle.

The noble Lord says, that, however desirous the nation may be of peace, we can only think of obtaining it on the grounds of seeing a Government established likely to secure to us peace; and that we can only make peace consistently with the interest of our allies. What does he mean by such a Government as shall secure to us peace? Must we go on with war till we have established a Government in France *to our minds*? If this be the system of Ministers, they should tell us what sort of Government they mean, and what are the hopes that they have to effect it; surely when a Government involves a country in a war, they ought to point out the specific means of ascertaining its object. The noble Lord says with a sort of pride, that the French are in a worse condition now than at the beginning of the campaign. In a worse condition perhaps, as they have lost many thousands of their people. All Europe, Sir, is in a worse condition.

But,

But, " said Mr. Sheridan, I demand a question more to the purpose, and in truth, the only question with which England has to do; I ask you if there is any one man in this House or out of it, who thinks that we are nearer to the object in view, than we were at the beginning of the campaign? Let any man fairly and honestly answer this question, before we madly plunge into new horrors? Let us look around us at the state of our allies and at the circumstances of the campaign. Almost all the advantages so vauntingly enumerated were gained before we separated. Holland was saved, the French were driven out of the Netherlands, and though indeed the frontier towns were not taken, we had prospects which no man will say we possess at this moment. It was said, when Great Britain puts forth her mighty arm all, that is wanted to the overthrow and extinction of the banditti in Paris will be found; the Royalists in every part of France will rouse themselves, and hearing the voice of the British Lion, will rise with a triumphant energy in every part of the kingdom. What has been the sad experience? They have heard our voice indeed, and they too fatally were seduced by its attraction. They declared themselves they were abandoned; they are extinct. Good God, are we to be told that the prospect is improved by the operations of the campaign! The massacres to which we have doomed these miserable creatures, by the false hopes and promises by which we have deluded them, does not serve to brighten the prospect of the next campaign. Who again will be so stupid as to listen to the voice of Britain? What Royalist, after the fate of Toulon, of Noirmoutier, and of St. Maloes, will take courage on the promises of Britain to raise the standard in France? Nor is this the only change for the worst. At the commencement of the campaign, two parties in the most inveterate opposition to each other, divided, tore asunder, and dispirited the French people. In the convulsions of these parties, all the efforts of the nation were enfeebled, the hopes of the patriot dismayed, exertion and enterprise shackled, and the whole system deranged, so as to give us hopes that by their internal feuds, they would not be able to resist with effect the tremendous power of the Combined Armies. What has happened? To the astonishment of all the world, to the confusion, to the dismay of all, one of these parties, apparently the most feeble, has not merely subdued, but extinguished the other! and so little sensation has this made in France, that the conquering party seems already seated in the quiet possession of the most ample authority ever possessed by any Government. Their triumph has been so complete, that they have exercised powers unheard of, and unparalleled

paralleled in history, and by which they have performed achievements the most tremendous. They have sent a commissioner even to a conquering army, to demand of them to deliver up their generals, and they have obeyed them without a scruple. In all their orders, in all their enterprises, not a single corps has either shewn disaffection, or risen up in mutiny to the Convention.—Here then is a proof that the condition of the Allies is worse now than at the beginning of the campaign, for the great experiment has been made; all Europe has risen in arms against one nation, and that one nation, fired by enthusiasm, and fighting for what they conceive to be the cause of liberty, has successfully resisted them.

“ The noble Lord tells you that to be sure they have a great army, *but it is not sound*; they have a great deal of treasure, but their prosperity is not sound; they have made wonderful exertions, but their force has not a sound foundation; and the noble Lord has taken great pains to shew you how all this comes to pass. It reminds me of a story of a tradesman, who had bought a house-clock from an ingenious young man, who, without having learned the trade, had invented and made a very curious time-piece. A neighbouring clock-maker was very much exasperated at this intrusion of the natural genius, and he took a great deal of pains to convince his neighbour, that he ought by all means to turn this clock out of doors. It was impossible, he said, it could go well as it was not made by the rules of the art. It was in vain that his neighbour said that it went truly, that it told him the hour of day exactly, that he could wind it up like other clocks, and that, upon the whole, he was well pleased with it. The clock-maker answered, that all that might be very true, but it could not be sound at the bottom. It had not all the wheels and movements that were usual; and he at length cajoled the poor man to turn out his time-piece, and buy from him, at three times the cost, a clock that did not do him half the service. The noble Lord next tells us of the shackles that they have put upon commerce; and, with a great deal of piteous declamation, he has told us how little regard they have paid to that source of national wealth. This is all, certainly, very true; and I have no doubt, Sir, but it has arisen from the excessive alarm of some distinguished Patriot, who, viewing the immense power assembling against them, and, dreading for the freedom of his country, has exclaimed in the Convention, “ *Perish our Commerce, live our Constitution!*”* The noble Lord next tells us of

* Alluding to an expression of Mr. Windham, member for Norwich.

the amazing taxes that have been laid on the people, and with great arithmetical accuracy has found that, in taking from every man of 400l. a year, 220l. there only remained 180l. to himself: in this he agreed with the noble Lord, he was sorry it was the only part of his proposition to which he could agree. But what did the argument prove? That so devoted were the people of France to the cause of Liberty, so determined to maintain the struggle in which they were engaged, so ready to support the party in power, that they agreed to a man to surrender all their fortunes, and, from him that possessed 10,000l. a year, down to him who was worth only 400l. consented to live on 180l. rather than yield to the powers of Europe. This is tremendous but to whom? To those who have to fight with such a people. The noble Lord makes a speech for the Chancellor of the Exchequer, in which he is not more fortunate than in his other arguments. He makes him say, While the gentlemen of France are thus giving up all their fortunes to prevent the poor from being burthened, what do I propose to do? Do I talk to you of raising and supporting an army without laying additional burdens on the people? Do I talk of procuring voluntary contributions, except of mittens, night caps, and under-waistcoats? Do I demand of the Placemen and Pensioners who support the war, to give up all their incomes except 180l. a year? No such thing. All the gentlemen who will come forward in support of this great and glorious war, are to share in the taxes that are to be laid on the people, and accordingly look round me and see how I have fattened and aggrandized all the persons who have come forward to my aid. No man now can make a boast of the sacrifices he has made in order the better to oppose the friends of Brissot * in England. Not merely themselves, but their nephews and cousins, to the third and fourth remove, have been loaded with spoils, and have been appointed paymasters, agents, commissaries with pensions, entailed upon the country, whatever might be their services, merely for coming over to the support of the war. Good God, Sir, what a contrast do we exhibit, that in such a moment as this; in times so big with national fate, the money squeezed from the pockets of an impoverished people, from the toils, the labours, and the sweat of their brows, should thus be squandered as the price of political apostacy! It misbecomes the honour of a gentleman to give, it misbecomes the honour of a gentleman to take, in such a moment. This is not a day

* Alluding to an expression of the present Lord Chancellor, in the course of last session of Parliament.

for jobs and little dirty traffic, lucre, and emolument, unless it is meant to promulgate it as a doctrine that all public men are impostors, and that every libel of the French is founded in truth. What is the sort of language that we hear? The order of nobility is in danger. I will fight for nobility, says a Viscount, much better if you will make me an Earl. Make me a Marquis, says the Earl; give me a blue ribband, says the noble Lord in a green one; and thus, while the people at large are told that the very pillars of the Constitution are in danger, they see nothing but a miserable scene of intrigue for the prostitution of honours, and the corrupt squandering of national wealth. Even the Right Honourable Gentleman himself, who made so loud a boast, in the commencement of his political career, of his own disinterested purity, who lamented that he had fallen upon times too good, and who wished that they were even more corrupt, to display with greater effect the contrast of his magnanimity, takes to himself, in addition to all the profits of active office, a sinecure which he swells into an enormous pension. Sir, though these things have hitherto passed without observation in this House, they must not, shall not continue so to be overlooked. If the Representatives of the people do not shew to the country a spirit of vigorous correction in regard to the use of public money; if they do not take care, that not a single guinea shall be spent otherwise than in the public service, the people will soon be taught not to look to this country, nor to Parliament for relief.

"But in all this scene of jobbing and of plotting, what pride ought *we* not to feel, Sir, we who have suffered so much from the reproach of a coalition. When the pinching hour of necessity came, Ministers were forced to look to those men for aid, for joining with whom we had suffered so many accusations. To be sure, it was not a very creditable thing to the talents, nor could it be very pleasant to the feelings of the gentlemen on the other side, that Government were obliged to make this sort of application. But that was for them to think of. When the King of Prussia was to be soothed and conciliated, his zeal to be animated, and his flagging spirit to be revived, they could only find a proper agent from among their number (Lord Yarmouth *.) Nor could they even find fit couriers to carry home the dispatches on this important embassy out of their ranks (Lord George Conway, &c.) When they stood in need of a person to preserve peace and cordiality between the Allies, they

* Lately Lord Beauchamp, eldest son of the Earl of Hertford, now Marquis of Hertford. In Lord North's administration, Lord Beauchamp held the office of Confessor of his Majesty's Household.

made the same application to Lord Malmſbury *. Did they want a person to preach to the people of Toulon the blessings of an undefined monarchy, they applied to the same quarter (Sir Gilbert Elliot.) Did they require a person to conduct the affairs of a neighbouring kingdom, they could find no man conversant with the forms of Parliament, and properly versed in the conduct of public affairs, but in their number, (Mr. Silvester Douglas †.) Did they feel it necessary to appoint an attorney-general to the Prince of Wales, a Welch Judge, or a standing Counsel to the India Board:—so destitute and barren of all talents, learning and experience, were their own benches, that they were obliged again to look to the other side of the house, and to heap all the three offices on one man, (Mr. Anstruther.)

“ I do not mean, Sir, to impute to gentlemen improper motives, but it is a little singular, that just at the time when they thought their country in danger, they should not have given their support to the Government without the creation of so many new places of enormous emolument to themselves. His Majesty laments the burthens that are to be laid on his people, and yet Ministers are thus lavish in courting, nay purchasing deserters by the most shameful prostitution of the national treasure; I take it for granted that they have been forced thus to look to the other side, because the nursery for Statesmen formed by the Secretary of State opposite to them, has not yet reared a sufficient number of plants for the necessary consumption. I dare say that though our Chiron is slow in his march, he will improve as he goes on; and perhaps this year we shall be called upon for an additional sum of money to turn the nursery into a hot-bed. It is said, that if we were desirous of making peace, we have not the means—With whom shall we treat? I answer, with the men that have the power of the French Government in their hands. I never will disdain to treat with those on whom I make war: and surely no wise nation ought to persevere in the idle disdain of a negotiation with those who are a match for them in war. A Right Honourable Gentleman opposite, said, that what made him first think of a negotiation with America, was his looking at General Washington's army; he had looked at it on the right, on the left, on the centre, and according to his curious phrase, he could not *accommodate himself* any where. The same was surely true of France, we had tried it on all sides, on the south at Toulon, on the west by the Rhine, on the north by Flanders, on the east, by our spying glasses, at St. Maloes, and we could no where be accommodated. But I see notwithstanding our fatal experiment, we are doomed to go on; the fatal determination is taken, and there is no rational hope that the good sense and spirit of this house will reverse the decree.”

* Formerly James Harris, Esq. K. B. Ambassador at various European Courts.

† A Barrister, brother-in-law to the Earl of Guildford.

Mr. Sheridan took a rapid and masterly review of the proceedings of the campaign, to shew that Government had not displayed a single exertion becoming the dignity of the nation; or calculated either to maintain the splendor of our name and arms, or to accomplish the object of the war; that our trade had every where been left to fortune; the American shores completely exposed: and here he gave an affecting picture of the fate of Captain Courtenay, and shewed that even in the points of our attack, particularly at Toulon, Dunkirk, &c. &c. we had seen nothing but incapacity and blunder in the execution, as well as disaster in the event. These things must, he said, be the subject of parliamentary investigation. It was not enough that our precipitate retreat from Dunkirk was hushed up and compromised between the Master-General of the Ordnance and the First Lord of the Admiralty, because one of them was brother to the Minister. With respect to the transactions of Toulon, without stopping to enquire whether the destruction of the ships was consistent with the laws of war, he would demand by whose orders the Constitution of 1789 was first offered to the people, and by whose orders that offer was broken to them; and it must be a subject of enquiry how Lord Hood, who had so freely taxed General O'Hara with not keeping his word, had himself broken his word to the nation, about the strength and resistance of the place. The execution of the plan for the destruction of the ships, he would prove, was mismanaged in all that depended on the part of Lord Hood; for at the Babel council of the uncombined armies, an offer was made to undertake the destruction of these ships, which appears to have been accepted; and yet such an inadequate force was given for the purpose, as to oblige Sir Sidney Smith to leave fifteen ships of the line unconsumed. He reproached them also for the expedition of Earl Moira, which was talked of so long as to deliver over all the unhappy Royalists on the coast to massacre. The expedition of Sir Charles Grey had been equally ruined by protraction; and with respect to the whole of our naval campaign, it was in vain to enter into the detail; for no man could with truth assert, that we had any where presented a formidable aspect to the enemy. Of the conduct of the channel fleet he would not say one word; he was sure that the noble Admiral had exerted his utmost talents in the service, though they all knew the industrious pains that had been taken to throw unmerited reproach upon him. That our trade had not been protected, the fact of the channel being now, or very lately, at the mercy of a few French frigates, was a most glaring proof. He said, that he did not mean to propose any

amendment; he should be inclined to support, however, any amendment that went to declare that this country ought to treat for a peace, whenever an opportunity for that purpose presented itself. [Mr. Sheridan's was generally allowed to be a most captivating and brilliant speech.]

Mr. Windham defended Lord Mornington against the accusation of not having spoken to the question. The noble Lord had recapitulated the conduct of France in a manner so masterly, so true and so alarming, as seriously to fix the attention of the House and the nation. The Honourable Gentleman had warned the House to beware of continuing a war which he had described in terms of reprobation. But, was the war to be avoided? No: the Right Honourable Member had himself adduced numerous arguments to prove it was not. For his own part, his mind was made up for war. During the last sessions of Parliament, most gloomy pictures had been drawn, and prophecies pronounced of the misfortunes that were to ensue; which the progress of the campaign had falsified. There had indeed been a variety and fluctuation of events; and if he were at present asked his opinion of these events, dating from the state in which we were six months ago, he would frankly own it might be called unsuccessful; though if considered as it ought to be from the commencement, he should then affirm it was the very reverse. Neither would he allow it to be true, that the interference of England had produced union and energy in France. It was the duty of other Governments to interfere; for France was making war against all Governments, all religion, and all principle. To war had all the crimes committed by the French been attributed; but crimes could exist, and factions could exterminate each other without the aid of war. Since the Revolution, France had become the enemy of every Government; for the monster was "born with teeth." Flanders had groaned under the yoke of the French during their short residence in those fruitful provinces, which had not only been pillaged but obliged to conform to the revolutionary mandates of the invaders, though no people were more religiously devoted to their ancient forms, and the Government of their progenitors, than the inhabitants of the Netherlands. How was it possible to preserve peace with the French, who find grounds of quarrel with every nation that dares to suspect the purity of their intentions: What nation had ever professed more peaceful principles of conduct; and what principles had ever been more productive of war? Why was the injustice of our interference with the internal Government of France, so much insisted on? Let any man examine the conduct of these reformers,

reformers, and deny, if he dare, the effervescence with which they interfere in the Government of other nations. Mr. Windham then discussed the inability of Civilians to give rhetoric rules sufficient for the regulation of nations in all cases, especially one so unforeseen as the present; and then cited Vattel to shew that that writer's great authority was rather favourable than otherwise to the proceedings of England on this emergency. Again he adverted to interference in internal affairs, and demanded what must become of the balance of power without such interference? He insisted that the internal regulations of all countries, frequently did, and those of France at present especially, affect the neighbouring powers. Who so precise, who so solemn as the French had been in instituting rules? Who so apt at breaking them? The fate of the Brissotines too had been deplored; for his part he saw it was true indeed, that they "did but teach bloody instructions, which being taught returned to plague the inventor. Even-handed justice gave back the ingredients of the poisoned chalice to their own lips." Brissot and his opponents were manufactured of the same stuff, a part of the same web. The energy of the French, Mr. Windham said, had been emphatically described; but if they were energetic, what ought we to be? Superior as our cause was, should we slumber, should we be outstript, basely sue for peace, proclaim our cowardice, and avow our inferiority? No, this was not the spirit of Britons, it became not their bravery, nor was it usually adopted in their practice. Never was there a period in which British arms had shone with greater lustre. Standing as we do, the defenders of the present and the future world, ought we meanly to crouch in cowardice, and supplicate in despair? Besides, by submission we could only degrade ourselves, without obtaining present redress or future safety. Mr. Windham adduced many other argumentative distinctions, nicely logical and difficult to report.

Mr. Secretary *Dundas* began with declaring that the Honourable Gentleman (Mr. Sheridan) who had preceded Mr. Windham, in the debate, eloquent as that house had often heard him, had never displayed language more forcible, talents more brilliant, or powers more astonishing. Nor was he barren of praise to the Right Honourable Gentleman (Mr. Windham) who spoke next in turn. Having paid this handsome tribute to genius, Mr. Dundas entered into a defence of the measures of Administration, willingly took his share of responsibility, and declared, that instead of errors, if errors they could be proved, he gloried in the part it had been his lot to take. Situated as this country was at the commencement of hostilities, great exertions

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had been expected, and he was proud to aver, that they had not only been fulfilled, but had even exceeded hope, and totally outrun expectation. Never was there a period in which they had been equalled. In the month of September 1792, the number of seamen to man the British navy, amounted to no more than 15,000. This very inadequate force, by the foresight and activity of administration, received a supply of 54,000 men. We had then only thirteen ships of the line in commission, and these were with miraculous celerity, augmented to eighty with frigates in proportion. Of land forces we had only 9000, and by exertions no less extraordinary, 30,000 recruits had been raised. He appealed to the house, whether the wisdom with which all this had been planned, and the œconomy with which it had been effected, could merit the asperity with which Ministers had been censured? did it not, on the contrary, demand the most unequivocal applause? What were the objects to be pursued? The intentions of the enemy were to be penetrated, their motions watched, and their plans counteracted. In the month of March, Ministry received intelligence of a French Squadron destined to the West Indies, and Admiral Gardner was immediately dispatched with a sufficient force, in quest of them. The Mediterranean was the next immediate object of concern, the trade of which amounted to a million sterling, and there the French flag, at that time, reigned triumphant. But soon Lord Hood appeared, and never was conduct more masterly, or effects more glorious. The Italian States threatened, and trembling in terror, took shelter under the British wing, and there found safety. The most sanguine had never indulged hopes equal to these effects. The next great object was the channel fleet, and to this the most assiduous attention had been paid, and with the same success. The cases of the naval department were numerous indeed, and embarrassing; but what praise could be too great for his Majesty's servants, to whom this great trust was committed; when it was remembered, that instead of culpable remissness, and an exposed trade, as had been alleged, it should be found that fifty convoys had been provided for the safe-guard of our trade, and that not one ship under their protection had been lost. An Honourable Gentleman had blamed Ministry for leaving the coast of America exposed; but it was known that their attention had been called to the West Indies. Tobago had been taken; and though we had failed at Martinico, the fault rested with the inhabitants, who had invited Britain to yield them succour, had asked only a small force, and when a much larger had been sent, did not act with that firmness and alacrity which were necessary to success. He owned himself to be one of those

those who sought for, and expected indemnification for the expences of the war, and he knew not where to look for it so effectually as the West India islands. Our own islands were not, could not be secure, while France should possess all the islands she held at the commencement of the war. Was it therefore not highly laudable in Government, to turn its attention to that quarter where success had been the most probable? At St. Domingo, we were at present in possession of Nicola-mole, its strongest fortress, and Port Jeremy, which had escaped the ravages by which the island in general had been desolated. Vigilance in these latitudes was indeed necessary, for it had been the plan of France to send emissaries among the negroes, excite them to insurrection, and thus afford employment for our arms to quell tumult in our islands, while she should pursue her baneful projects in Europe. In the course of his speech, the Right Honourable Secretary pronounced the eulogium of our officers, particularly of Lord Hood; and applauded the masterly manner in which the evacuation of Toulon had been effected. Our successes had indeed been great, and never was there a first year of any war on record, that had been equally fortunate.

Mr. Fox said, that notwithstanding the lateness of the hour, the importance of the question, and the confused mode in which it had been treated by the advocates for the prosecution of the war, rendered it necessary for him to attempt, if possible, to dissipate the mist in which it had been involved; he would therefore endeavour, once more, to obtain an explicit declaration of what was the real object of the war, that the people of this country might be no longer the dupes of artifice and delusion, and made to believe, that they are expending their money and their blood for one purpose, while in fact they were called upon to do so for another. On this point the last few minutes of the speech of a noble Lord (Mornington) long and eloquent as the whole speech was, had afforded more valuable information than all the rest. The noble Lord had said, in very explicit terms, that as long as the present, or any other Jacobin Government subsisted in France, no propositions for peace could be made or received by us. He wished this had been stated last year; and that neither the house nor the country had been drawn in to countenance a war, the object of which was not fairly explained to them, till, as they were now told, they had gone so far that they could not recede. The Chancellor of the Exchequer, in the debates of last session, although he deprecated the continuance of a Jacobin Government, yet said, that he would not consider that as a bar to a negotiation, provided the objects then held out, viz. the safety of Holland, and

and the exclusive navigation of the Scheldt could be secured; and he illustrated his doctrine by his practice, for he actually did open a negotiation with persons deriving their powers from the then Jacobin Government of France. What then became of the argument, that there could be no safety for neighbouring states, no security for the observance of any treaty while such government was permitted to subsist? That negotiation, he should perhaps be told, was never meant to succeed, and well did the mode of conducting it justify the supposition; but why was it not to succeed? That the people of England might be deluded into a war on a false pretence of defending an ally, while the real object was the subversion of the ruling power in France. Again he would ask the question, although he should shudder to hear the melancholy information; but if it was so, let it be unequivocally said, that we were engaged in a war which could have no termination, till we had exterminated French Jacobinism, in other words, till we had conquered France. In the presumption of certain theories of our own, we were to stake the wealth, the commerce, and the Constitution of Great Britain, on the probability of compelling the French to renounce opinions, for which, we had already seen, that they were ready to sacrifice their lives. This at least was the case, if the majority of the House had come over to the system of extermination which was last year avowed only by a few.

He admired the speech of the noble Lord, and that of his Right Honourable Friend (Mr. Windham) the less, because much of both was only imitation or translation of speeches and reports in the French Convention. The noble Lord asked, if we would trust to the religion of Robespierre, the finance of Cambon, or the moderation of Danton? The answer of the French Convention to his Majesty's Declaration appeared in terms not decent to be mentioned in that House, to the wisdom of our Monarch, the good faith of another, and the chastity of a third. His Right Honourable Friend treated Vatel with as little respect as M. Genet, the French Minister to the United States of America. "I would throw Vatel and Grotius into the sea," said M. Genet, when their principles interfered with his notions of the rights of nations. Just so would his Right Honourable Friend treat them when they controverted his ideas. By some strange fatality we were now constantly reprobating the language and practices of the French, and as constantly copying what we reprobated. More inclined as he was to follow experienced rules of judging and of speaking, he held the opinions of eminent and learned men,
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dispassionately given on subjects which they had studied, as of great importance in regulating their conduct. Vatel, than whom he knew of no man more eminently learned in the science on which he had written, laid it down as a principle, that every independent nation has an undoubted right to regulate its own Government; and on this authority he had reprobated the conduct of Austria and Prussia in attacking the French, for no reason but because they were attempting to regulate their government; a conduct which he feared had been more fatal to the political morality of Europe, than any thing the French had yet done. It was true, as his Honourable Friend (Mr. Sheridan) had stated, that the French were not alone chargeable with the carnage which had wasted Europe. The Duke of Brunswick's Manifesto he considered as the signal for carnage, and a general war. For carnage, by whomsoever committed, he was no apologist; it was equally repugnant to his feelings and his judgment; and therefore he had kept himself clear of all concern in measures which tended to lead to it. But those who negotiated the treaty of Pilnitz, impartial posterity would pronounce guilty; and this country, if it had acceded to that treaty, would not be acquitted. To the treaty of Pilnitz he traced the origin of the war. Could it be pretended that France had been in all cases the aggressor? Had she been so with respect to Prussia? The proof was obvious. We had a treaty of alliance with Prussia, by which we were bound to furnish certain succours if Prussia should be attacked. Were we called upon for those succours?—No such thing. Sufficient evidence that Prussia did not consider the war with France as a war of defence, but a war of aggression, voluntarily undertaken.

Whether we or the French were originally the aggressors, made no great difference now. This much we know, that they offered to negotiate, and that all their proposals were treated with disdain and haughtiness, which could not fail to render peace impossible. Roberespierre, that great authority, whom the advocates for the war never failed to quote when they found him on their side, accuses Brissot of having involved France in the war with this country. On the strength of Roberespierre's impartial judgment in the case were Ministers exculpated from the charge of having caused the war. Such were the arguments on which their friends defended their conduct! At that time, contrary to the opinion of many of his friends, in the face of almost the reprobation of that House, he had recommended negotiation in preference to war; and painful as it was to him to differ from men whom he had long loved and

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esteemed, on the most mature reflection, he felt as much solid satisfaction in the advice he had then given, and the conduct he had pursued, as it was possible to derive from the consciousness that they were precisely such as they ought to have been.

But the origin of the war was now a secondary consideration. The main question was, how can it be concluded? His opinion still was, that we ought to treat with the present, or any other government to which the present may give place in France; while others said, and an awful consideration it was, that no treaty with any modification of Jacobin Government could be secure. The question of security he would now examine, considering an attempt to negotiate in the only two points of view, under which, as appeared to him, it could possibly fall. His own opinion, or rather his conjecture, was, that peace might be obtained. But however well or ill founded this might be, we were first to consider whether such a peace as might be supposed attainable was so desirable as to induce us to negotiate; and next, whether failing in the negotiation would be attended with such dangers as ought not to be hazarded. However we might abhor the conduct of Frenchmen towards Frenchmen, whatever indignation we might feel against crimes from which humanity shrunk aghast, hatred of vice was not a just cause of war between nations. If it were, Good God! with which of those with whom we are now combined against France should we be at peace? We, proud of our own freedom, had long been accustomed to treat despotic governments with contempt, and to mark the vices of despots with vigilant sensibility. Of late, however, our resentment had been most readily excited by the abuses of Liberty; and our hatred of vice was very different on different sides. In France an old despotism is overturned, and an attempt made to introduce a free government in its room. In that attempt great crimes are committed, and language is ransacked, and declamation exhausted to raise our indignation and excite us to war against the whole people. In Poland, liberty is subverted; that fair portion of the creation seized by the relentless fangs of despotism; the wretched inhabitants reduced to the same situation with the ancient slaves of their new masters, and ordered to sing *Te Deum* for the blessings thus conferred upon them;—and what does all this produce? Sometimes a well turned sentence to express our sorrow. But hatred of vice is no just cause of war, nor ever was among nations; and when he heard men declaim on the crimes of France, who knew how to reason as statesmen, he could not but suspect that they meant to deceive. Such a
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peace, it was next said, would not be secure. He admitted that it would not be so secure, for the permanent interest of this country, as he could wish; but it would be as secure as any peace that had been made with France at any other time, and more so, than any that they, who would make no peace without the restoration of the monarchy, could ever expect to make. The present rulers of France had declared themselves our natural enemies; they had contrived schemes and sent emissaries to overturn our Constitution. Had not all this been constantly done by Louis XIV.?—Was he not the declared enemy of our Revolution? Did he not keep up a correspondence with the Jacobite party among us; and endeavour by force and artifice, to overturn our establishment in Church and State? Had our new fangled politicians lived in those times, they would have said, before the peace of Ryswick, “What! treat with Louis XIV. who has made war upon you unjustly, who has fomented treason and rebellion, who has attempted to destroy all that you hold sacred, and instead of a limited monarchy, and the Protestant religion, impose upon you the fetters of despotism and Popery?” Such must then have been their language, but King William and his Ministers would have thought those who held it fitter for Bedlam than a Cabinet. It was said, that the Jacobins have threatened to over-run Holland, and extend their conquests to the Rhine. Did not Louis XIV. invade Holland? Were his projects of conquest so moderate as to be confined within the Rhine? The whole argument then comes to this, that you must be satisfied with the best security you can get, taking care that the power, with whom you make a peace, shall have no temptation to break it, either from your misconduct or want of vigilance. The best security for Holland is the Emperor’s possession of the Netherlands, and repairing the fortifications of the barrier towns, which the Emperor was bound by treaty to maintain. Whether the Emperor should be obliged to do this at his own expence, or whether Holland and Great Britain should assist him, was matter of discussion; certain it was, however, that it would cost us much less than another campaign. If we looked at the declaration to the people of France, the first idea presented by it, although afterwards somewhat modified, but again confirmed by the declaration at Toulon, was, that the restoration of monarchy must be the preliminary to peace. Now suppose that instead of the Jacobin Republic, some stable form of government, but not a monarchy, should be established, with which we might think it safe or necessary to treat, what would become of our promises to Louis XVII. and

the people of Toulon? Then as to our security, according to the declaration, as soon as the French have a King we will cease to make war upon them, and they may set about modifications of their monarchy. But how are these to be made? Not certainly with a guard of German troops surrounding the hall, where those meet who are to make them. France will then be left in precisely the same situation as in 1789, from which flowed all the mischiefs that are now said to render it impossible for us to treat with them. Such is the notable security which the minister proposes to obtain by way of indefinite duration!

The same minister promised at Toulon, or those whom he employed promised for him, to restore the Constitution of 1789, and it was in fact restored there. Louis XVII. was not styled King of France and Navarre, &c. but King of the French, and all the authorities appointed by the Constitution of 1789, were re-established. How did this agree with the conduct of our Allies? While we were in possession of Toulon, General Wurmsler entered Alsace, where he issued a proclamation, dismissing all persons appointed to offices under the Constitution of 1789, and restoring, till further orders, the ancient system, which we are apt to call despotic. He would suppose a thing too absurd to be supposed, but merely for the sake of argument, viz. that France were brought to submit to whatever we chose to propose. Must she have a King? She consents—Must that King be Louis XVII.? She consents—What in this case would be our security? Ministers do not mean to restore to France all they may take in the course of reducing her to this submission. By their own declaration, they must have an indemnification for the expence of their services. Admitting that Louis XVII. would have a proper sense of gratitude; and that gratitude in Kings is stronger than in other men—a position, however, rather doubtful (for although, “as rich as a King—as happy as a King,” and many more of the same sort were common sayings, “as grateful as a King,” had not become proverbial); yet as Monarchs must be subject to the voice of the people, what as Frenchmen would their voice be?—“That France was deprived of her former possessions, that she was shorn of her ancient lustre, and that no fair occasion should be lost of regaining what had been ravished from her;”—and thus France would seize the first opportunity of attacking us, when we might possibly have no ally but Holland, and when Prussia or Austria might be leagued with France. Would any man say, that this was not the probable course of events? Unless, indeed, it could be shewn, that Princes were more honest and true to their engagements

gements than other men; but from what history he could collect this observation, he was yet to learn. There were certain high stoical sentiments, such as "we know what becomes us to do, and *that* we will do, regardless of consequences."—On such sentiments men might act, if they pleased, for themselves, but they had no right to act so for their constituents. Were Gentlemen ready to say with Demosthenes, that seeing all the calamities which must follow from their conduct, yet these calamities they would brave; and all this for the crusade against the Jacobins!

When he heard that the success of the campaign was to be made matter of boast in the King's Speech, he thought it the highest pitch of effrontery to be found in the annals of any nation. Little did he imagine that his Majesty would think it necessary to recapitulate from the throne all the successes obtained before the rising of the last Session of Parliament—successes of which they had been told over and over. If, however, these successes were to be estimated from June, when his Majesty last addressed the Parliament, to what would they amount? or if, which was indeed the only rational mode of forming a judgment of the future, the situation of France when first attacked by Austria and Prussia, were compared with her present situation, what was the prospect of final success? Far from imagining that he should have had to contend, that the campaign had been neither successful nor glorious, he expected to be asked, when he came to talk of peace, "what! are you so pusillanimous as to suffer your spirits to be depressed by a few untoward events? Would you advise to degrade your country so far as to offer terms of peace now, which we disdained to offer in June, when our good fortune was at its height? When we have been repulsed at Dunkirk; when the Prince of Saxe Cobourg has been repulsed at Maubeuge; when we have been driven from Toulon in a manner afflicting, if not disgraceful; when General Wurmser has been routed in Alsace; the siege of Landau raised; and the Duke of Brunswick can scarcely protect the German cities on the Rhine—to offer terms of peace would be to supplicate, not negotiate."—Such an appeal to his feelings for the dignity of his country, he must have endeavoured to answer; but from this task he was completely relieved by ministers boasting of their victories. If the advantages we had obtained were such as they represented them to be, we could negotiate without dishonour; we could assume the dignified character of being in a condition to dictate the terms of peace, and of forbearing to insist on all that our superiority entitled us to demand. Here then was an additional reason for pursuing

- fusing the course which he recommended. The Right Hon. Secretary (Mr. Dundas) had said, that our object in the West Indies was to gain a solid advantage for ourselves, as an indemnification for the expences of the war. This, however, was a distinct object from that of giving such a government to France, as ministers might think it safe to treat with; and in many respects contradictory to the other. In pursuance of the object of solid advantage to ourselves, whatever islands we took for Louis XVII. we must wish to keep; and as we wished to keep the islands, must wish that Louis XVII. who would have a right to demand them of us, should not be restored; and thus our two objects would run counter to each other.

The Right Hon. Secretary had said, that if we were to make peace with France on the principle of *uti possidetis*, the campaign would be the most advantageous and the most glorious on the records of history. Advantageous in that point of view it certainly might be; but glorious it could hardly be called, when it was considered that we were leagued in it, with so many other powers, against a single nation whose force we had formerly met, not only without allies, but with those who ought to have been our allies marshalled under the standard of our enemies. But the real object of the war was to destroy the Jacobin power in France. Had we succeeded in that object? Was it not clear to the apprehension of every man who possessed the smallest degree of information, that we were more distant from it than ever?

The Right Hon. Secretary had said, that ministers had been much embarrassed about sending the forces then at their disposal with Sir Charles Grey to the West Indies, or with the Earl of Moira to co-operate with the Royalists in France. The answer was easy. If their war with the persons who now govern France was, as their friends now professed it to be, *Bellum internecinum*, they ought not to have hesitated a moment. Assisting the Royalists would have most materially promoted their object. He hoped that, as sometimes happens to men fluctuating between two purposes, they had not so divided their attention as to render both ineffectual.

It was true that he, and those who thought as he did, had stated the dangers that were to be apprehended from war; but he appealed to the recollection of every man who heard him, whether they had ever said, that the war was likely to be terminated in one campaign. On the contrary, was it not the meaning, if not the express terms of the speeches made by those who advised going to war, that one campaign would be sufficient? Did not ministers know that the same idea had been circulated by every ministerial scribbler in every ministerial

rial newspaper? and was it not notorious, that this delusion had induced many persons to approve of the war, who would have otherwise opposed it? His Right Hon. Friend (Mr. Windham) had ridiculed the idea of the war having united the French among themselves. Had it not united them? and what was worse for the cause of the allies, given them an energy not easy to be withstood? At the close of the last session of Parliament, they had two parties struggling for power—Marscilles, Toulon, Lyons, Bourdeaux, la Vendée, in a state of rebellion, or on the point of rebellion. All those, in addition to the force of ten combined foreign powers, had France then to contend with; and as far as could be collected from information, there was not now an insurrection from one end of France to the other. What then was the inference? That there was no probability, nor even possibility, of overturning the Jacobin government of France in another campaign, nor in another to that. The French were now inspired with such an enthusiasm for what they miscalled liberty, that nothing but absolute conquest could induce them to listen to any plan of internal government proposed by a foreign power. Considering the spirit of the French in this point of view, he was not much comforted by any thing that had been said of their finances. The arguments of the present day reminded him of what he had heard in the American war. The Americans were represented as destitute of money; as making temporary exertions by means of paper, which a few halfpence might buy to the nominal amount of 100 dollars; as exercising on one another the most intolerable tyranny; on the Royalists, the most unheard-of cruelty—and then came what was now the master argument, that if such principles of resistance were suffered to exist, there must be an end of all civilized government, and the monarchy of England must be trampled in the dust. He was not then deterred from recommending, what he now recommended—negotiation, while negotiation was practicable. He lived to see Great Britain treat with that very Congress so often vilified and abused; and the monarchy subsist in vigour full enough, certainly fuller than it had ever before subsisted in since the Revolution. If it were not presumptuous for any man to reckon on his own life, he might say, that he should see Great Britain treating with those very French Jacobins—and might the period be as favourable for making peace as the present!

Having contended that as much security might be obtained by treating now with France, as in any case that came within experience, or was presented by theory, it remained only to prove that if negotiation should fail, we had much to gain, and

and nothing to lose. We should demonstrate to all the world that the war, on our part, was strictly defensive; and we should convince the people of England that their money was not expended to gratify the caprice of an individual, but to protect the honour and the interest of the country. In France the advantage would be still greater;—in France, where enthusiasm supplies the place of military discipline and military skill—where it makes the people submit to tyranny almost beyond human patience—we should diminish that enthusiasm by shewing them that they are not engaged in a war of defence, but a war of conquest.

Mr. Fox then entered into an examination of the conduct of the war, which he shewed had been deficient in every material point. "If," said he, "any independence of spirit remains in this House; if there is a man in it not the sycophant of ministers, that man cannot hold up his head and say, he does not in his conscience believe that the campaign, as far as this country is concerned, has exhibited nothing but the imbecility of those who planned it. The minister possesses great talents, and great eloquence; and his having been so long in office must have considerably increased the number of his admirers; but he must pick and choose from the very lowest class of those who pay court to him, before he can find thirty persons, even at his own table, who will say that he is a war-minister. They will tell us that he may do better another time; but how much British blood and treasure must be lavished, while the minister is serving his apprenticeship to this trade of war? Mr. Fox proceeded to consider the conduct of ministers towards neutral powers; in the course of which he was led to speak of America, and paid a high-wrought compliment to the character of the President, General Washington.

He concluded with moving an Amendment to the Address, the same in substance as that moved in the House of Lords.

The Chancellor of the Exchequer said, the question which had been brought forward by the Right Hon. Gentleman who spoke last, amounted to little less than negating the Address, and upon this principle, what had previously been said, exactly referred to the subject of debate. From the length to which the discussion had been carried and the lateness of the hour, it was impossible for him to go much into detail; yet in circumstances of such peculiar and transcendent importance as the present, though he could add little more in point of argument, he considered it as incumbent on him expressly to deliver his opinion on several points which had been urged by the Right Honourable Gentleman. He still considered it as necessary in the present stage of the question, to refer to the original

original grounds upon which the war had been undertaken. The Hon. Gentleman on the other side had told them, that these were of little consequence; and had insisted, that a secure and honourable termination of the war, was the only point which ought now to occupy their discussion. It became more necessary to refer to these original grounds, as; while the present system continued, there was no probability for any such termination in the present moment. In recurring then to the principles on which they had set out, it would appear, that the present war had not been hastily and rashly engaged in, but after due deliberation and mature conviction. It had been the opinion of the majority of that House, and of the great body of the nation, that it was undertaken upon grounds strictly defensive; and that the nation was equally compelled to engage in it by the obligations of duty, and the urgency of necessity. An Hon. Gentleman had asked—Would not we have engaged in the war even if France had not previously declared against us?—To this he would answer; what he had last session asserted, That if we did not receive satisfaction for past injuries, and security with respect to the future, most certainly we would. From the conduct of France, the war, in whatever form it appeared, could only be considered as aggressive on their part. As to what were the objects of the war in the first instance, they had been stated by his noble friend (Lord Mornington). These objects were—First, That the system adopted by the French, had developed principles destructive to the general order of society; and subversive of all regular government. Secondly, That the French themselves, with a view, no doubt, of extending their system, had been guilty of usurpations on the territory of other states. Thirdly, that they had discovered hostile intentions against Holland. Fourthly, that they had disclosed views of aggrandizement and ambition entirely new in extent and importance, and menacing in their progress not only the independence of this country, but the security of Europe. Unless it can be shewn, that we were originally mistaken; that these were not proper objects of contest; or, that these objects are already gained; the obligations and necessity which originally induced us to undertake the war, operate with equal force at the present moment. In that case, even supposing that disappointment and difficulty had occurred in the prosecution of the war, they ought to have no other effect than to inspire us with additional vigour and stimulate us to new exertions. Though not insensible to any failure or miscarriage that might be ascribed to the misconduct of those employed in conducting the operations of the war, yet these could not

at all affect the general question, even if their conduct had as much demerit as had been stated by the Hon. Gentleman on the other side: However unpleasant he or his colleagues might feel from that peculiar situation of responsibility in which they stood, that was no reason why there should be any alteration in the sentiments of the country. If those disappointments and difficulties arose, not from the nature of the contest, but from the misconduct of those entrusted with the management of public affairs, the nation were not therefore to be discouraged in the career of exertion, and to shrink from their duty. If those persons who conducted his Majesty's councils were unequal to the task, let us not think so meanly of the abilities of the country, as to suppose that there are not others of superior talents, without resorting to the few individuals who have ever since its commencement discovered principles inimical to the war. Surely it is not necessary to suppose that all the abilities of the nation were exclusively monopolized by those individuals. But if, on the other hand, the difficulty was ascribed to the nature of the contest itself, which, however, he should much more regret, then would the argument with respect to the misconduct of ministers, or of those concerned in conducting the active operations of the war, be much weakened. He said, he would proceed briefly to take a view of the different stages in which the question of the war had been debated. At the conclusion of last Session, he had placed its termination upon two circumstances: First, the being able to procure a peace upon terms likely to render it secure and permanent; and secondly, an indemnity suitable to the expence which the nation should have incurred in carrying on the war. He had therefore, in the debate at the conclusion of last Session, held out as a means, not only of annoying the enemy, but of securing those desirable ends, the propriety of an interference in the internal government of France. Not that he had absolutely insisted upon an entire subversion of that government; he had always asserted that if a peace could be made upon terms of security to this country, no consideration of the detestable characters of the ruling men in France, or of the crimes and horrors with which they were sullied, ought to influence this country to reject such terms. The Hon. Gentleman had then admitted this principle to be right both in point of expediency and morality. He must here advert to an unfair mode of argument which had been employed by the Hon. Gentleman. He had endeavoured to give a different turn to sentiments, by confounding the periods at which they had been brought forward. When the strict neutrality observed by this country, with respect to

France, had been mentioned in his Majesty's Speech, no injury had then been received from France. When the system altered, the same sentiments could no longer apply. If a foreign country divided into two parties had discovered hostile intentions with respect to a nation, it would surely be perfectly fair to endeavour to oppose these parties to one another, so as to defeat the effects of this enmity: More especially, if the continuance of a system was the ground of that enmity, an interference to destroy that system was particularly justifiable. Such was the precise state of the case between France and this country. Last year this interference had been avowed and admitted as a ground of action, and its propriety could not surely now be denied. Since last year, a new scene had been opened, more eventful and extraordinary even than those which had formerly been exhibited. However the horrors and crimes which had taken place in former periods of the Revolution might have exceeded all expectation, and transcended even the utmost stretch of imagination; they now appeared only to have paved the way for fresh horrors, and accumulated crimes beyond whatever fancy could have feigned or fear conceived. Things had come to such a crisis, that he had no difficulty to declare, that while that system continued, peace was less desirable to him than a war under any circumstances of disaster which he could possibly imagine. Not that he would contend that the mere abhorrence of crimes, that the mere detestation of character, except directly bearing upon our own safety, could constitute any reasons why we should engage in a war; but, in the present instance, the reasoning of his noble Friend directly applied; that reasoning had gone—first, to shew the horror and enormity of the system which now prevailed in France: Secondly, the danger of the extension of that system, if not speedily and effectually resisted: Thirdly, the measures which were employed for the purpose of extending that system: Fourthly, the prospects of success, which we derive from the very nature of those measures, in our attempts to crush the progress of that system: And fifthly, that the success of those attempts depends upon the vigour of our warlike efforts; and that the circumstances of the case were such, as entirely precluded all negotiation. The speech of his noble Friend had been styled declamatory, upon what principle he knew not, except that every effort of eloquence, powerfully exerted, was to be branded with the epithet of declamation. The propositions, which he had brought forward, had been urged, not in a vague and general way—they had been supported by strong facts. The history of the rulers of France had been taken from their own mouths, from records

written under their inspection, and decrees sanctioned by their authority. From the nature of their government, there could be no dependance on the characters of whom it was composed. The shifting of persons took place like the shifting of scenes; but the principles and proceedings still continued the same, or only were distinguished in their progress by increased gradations of enormity. On the 21st of May, a new government, more dreadful in its character, and more fatal in its effects, had taken place—this was the Revolutionary Government.—His noble Friend, the Chancellor of the Exchequer said, began by stating, that one of the leading features of this government was the abolition of religion. It will scarcely be stated, that this step could only affect opinions, or have no influence upon the conduct of a nation. The extinction of religious sentiment was only intended to pave the way for the introduction of fresh crimes, and entirely to break asunder those bands of society which had been already loosened. It was intended only to familiarize the mind with guilt, and by removing the obstacle of fear, to relieve it from the restraints of conscience. Infidelity, as his noble Friend had remarked, was only meant to go hand in hand with insurrection. A second measure of this revolutionary government was the destruction of property, a precedent which tended not less to destroy all ideas of justice, than the former to extinguish all sentiments of piety. Not less detestable was their conduct in their mode of inflicting punishments—a mode which took away from the accused all privilege of defence, and from their trials, even the appearance of legal forms. All these crimes; however, they contrived to convert into sources of revenue. From the pillage of the churches—from the destruction of property—from the confiscation of the effects of those who were condemned, they derived the means for conducting their military operations. They pushed every resource to its utmost extent, as for instance the unbounded circulation of Assignats, and the imposition of a forced loan. What can be expected from a system acting upon such principles, and supported by such resources? Resources so desperate afford in themselves the most certain symptoms and indications of the approaching decay of that system with which they are connected. If then such be the system—if such the means of its support; and if France in consequence has during these few months experienced a degree of distress, the greatest perhaps ever known in any country, what prospect can there be of either stability or permanence to the present order of things? Can it be supposed to rest on that something approaching to instinct—that spirit of enthusiasm which has been so highly extolled by the Gentlemen

them on the other side? What can we think of the probability of the duration of a system which has sent as many suspected persons to prison or the scaffold, as it has sent recruits to the field? But it has been urged, that the French have distinguished themselves in the field, nor will it be denied, that, independently of any other circumstance, the spirit of a people may make them brave in the moment of action. But their efforts are merely the effect of a system of restraint and oppression, the most terrible and gigantic that has, perhaps, ever existed. They are compelled into the field by the terror of the *guillotine*—they are supported there only by those resources which their desperate situation affords; and in these circumstances what can be the dependance on the steadiness of their operations? On this ground, the more monstrous and terrible the system has become, the greater is the probability that it will be speedily overthrown. From the nature of the mind of man, and the necessary progress of human affairs, it is impossible that such a system can be of long duration; and surely no event can be looked for more desirable than a destruction of that system, which at present exists to the misery of France and the terror of Europe.

“As to the question of the Hon. Gentleman, whether I am never to make peace with the Jacobins? said the Chancellor of the Exchequer, it is extremely difficult to answer, and it would be neither prudent nor rational in me to give him any definitive reply in the present moment. It is a question, the solution of which must depend upon a combination of events. As circumstances may vary, a different line of conduct must necessarily be pursued; nor would it be proper to bind up my discretion by pledging myself at present to one set of measures. In the present circumstances I have no hesitation to declare, that I would rather choose to persevere in the war even amidst the worst disasters, and should deem such a conduct much more safe and honourable, than to conclude a peace with the ruling powers in France, on their present system. The question of pursuing the war must, in every instance, depend upon the convenience, with which it can be carried on to ourselves, and of that you must be best qualified to judge. On this great and interesting crisis, I have no hesitation to state, that I should think myself deficient in point of candour, if I did not most unequivocally declare, that the moment will never come, when I shall not think any alternative preferable to that of a peace with France, upon the system of its present rulers. The question I do not now mean to argue at large, both from the very advanced hour, and from the full discussion which it has already received. I shall only touch on one or two points, which

which have been brought forward by the Hon. Gentleman in the course of his argument. His motion is certainly couched in very general terms, and such as might take in every thing that I have contended for. It recommends to his Majesty to conclude a peace, whenever it can be done upon safe and advantageous terms, without any reference to the nature and form of government which may exist in France. I likewise am of opinion, that a safe and advantageous peace ought to be concluded, but that the security and benefits of that peace must depend upon the establishment of a government essentially different from the present: But though the motion, from the general terms in which it is expressed, is calculated to gain no precise object, it is yet capable of doing much mischief. It means and says, that this House feels differently from the sentiments expressed by his Majesty. It holds out to our allies that they are no longer to consider us as eager in the cause, or acting upon the principles in which we embarked along with them; while it must impart encouragement and confidence to our enemies. The Hon. Gentleman has said, that a treaty with the French government would afford us as good a security for the continuance of peace as that which we derived from the treaty of Ryswick or Utrecht. He then, in his usual way, entered into a declamation against Kings, and said that we might place equal dependance on the good faith of the present government of France, as on that of the Court of Louis XIV. This I expressly deny; and I affirm, that had that King even succeeded in his ambitious projects to their full extent, what we should then have suffered might have been considered as a deliverance, compared with what must be the consequence of success attending the present French system. All the splendour of his court, all the abilities of his Generals and discipline of his armies, all the great exertions which he was enabled to make, proceeded from a high sentiment of honour. The exercise of that power which he possessed, however directed to the purposes of his ambition, was regulated by certain principles, and limited within certain bounds. No such principles actuate the conduct of the present French rulers. They have contrived to banish all restraints, and with an ambition more insatiable, they have at their disposal means of destruction much more formidable than that monarch ever possessed in the plenitude of his power. The Hon. Gentleman has inaccurately stated, that I attach the same degree of importance to the restoration of monarchy in France as to the destruction of the present system.

" This is by no means the case: I attach importance to the restoration of monarchy, from an opinion that in the present state

State of France, some settled form should take place in which the greater part of the people may be disposed to concur. The ancient government I considered as the best materials upon which they could work in introducing any change into the fabric of their constitution. Besides, as I have thought it incumbent, in any interference which I proposed in the internal affairs of that country, to consult chiefly the happiness of the people, monarchy appeared to me the system most friendly to their true interests. In another respect, the Hon. Gentleman has misrepresented me, by stating the restitution of monarchy as an event which must necessarily be preceded by the conquest of France. I considered monarchy only as the standard under which the people of France might be united, a government which my noble Friend has proved to be most agreeable to the wishes of two-thirds of the inhabitants: But it has been said, that even the re-establishment of royalty would afford us no additional security for the permanence of peace, and that the French would still be equally formidable to this country. It is however, surely, a wild and extravagant assertion, that the monarchy of France, stripped as it would then be of much of its power, and diminished in its revenues, should be as formidable, as a system which has proved itself to be more dangerous than monarchy ever was in the plenitude of its power and the height of its greatness. But there is one part of the argument of my noble Friend to which I must particularly call your attention, and which, independently of every other consideration, precludes even the possibility of our treating with France in the present moment—a decree has been passed by the Convention, forbidding to treat with any enemy till they shall have evacuated the territories of the republic; and on the 11th of April it was again decreed, that those persons should be punished with death who should propose to treat with any power, which should not have previously acknowledged the independence of the French nation, and the unity and indivisibility of the republic, founded upon liberty and equality. Thus, by any proposal to treat, we should not only incur the disgrace of the most abject humiliation, but absolutely put ourselves at their mercy, and become subject to the necessity of receiving any terms which they might be disposed to dictate. Are you then to withdraw your armies, to deprive yourself of the co-operation of your allies, to forego all your acquisitions, to give up Condé, Quefnoi, Tobago, Fort Louis, all the factories in the East Indies?

“Are you to abandon all these acquisitions, the rewards of your past labours, and the pledges of your future success?

Should

Should you consent to do all this, should you even hasten to send an ambassador to treat with the Convention, you not only must acknowledge the unity and indivisibility of the French republic, but you must do so in their way. You must acknowledge it as founded on liberty and equality. You must subscribe to the whole of their code, and by this act sanction the deposition of your Sovereign and the annihilation of your legislature. It may be said, that they would not insist upon all this to its full extent; but of this I can have but little confidence, when I compare their past declarations and conduct. To whatever pitch of extravagance they may have reached in what they have said, they have always outstript it by what they have done. The absurdity of their expressions has in every instance been surpassed by the outrages of their conduct; nor can we have any hopes of more moderation from any change of parties. In all revolutions that have hitherto taken place, the first recommendation to favour has been hostility to England. The most violent have always predominated. The leading feature in their character at present is a spirit of military enterprise exerted, not for the purposes of ambition, but every-where spreading in its progress, terror and desolation. We are called in the present age to witness the political and moral phenomena of a mighty and civilized people, formed into an artificial horde of banditti, throwing off all the restraints which have influenced men in social life, displaying a savage valour directed by a sanguinary spirit, forming rapine and destruction into a system, and perverting to their detestable purposes, all the talents and ingenuity which they derived from their advanced stage of civilization, all the refinements of art, and the discoveries of science. In this state, can there be any question but to resist, where resistance alone can be effectual, till such time as, by the blessing of Providence upon our endeavours, we shall have secured the independence of this country, and the general interests of Europe? It cannot be doubted, that there are many other points brought forward by the Honourable Gentleman with respect to the conduct of the campaign, and the treatment of the neutral powers, which I am extremely anxious to meet, but into which the lateness of the hour forbids me to enter. My own strength, as well as the patience of the House, is already exhausted; and I more willingly postpone them on the present occasion, as they will, with more propriety, form future and separate subjects of discussion."

The

The House divided on Mr. Fox's amendment,

Ayes 59

Noes 277

Majority 218.

The question on the Address, as originally moved, was then put and carried.

Adjourned at half an hour past five.

List of the Minority on the Amendment to the Address in the House of Commons, on the 21st of January :

| | | |
|-------------------------------|---|-----------------|
| M. Lee Antonie, Esq. | - | Great Marlow, |
| Sir John Aubrey, Bart. | - | Clitheroe. |
| Hon. Edward Bouverie, | - | Northampton. |
| J. R. Burch, Esq. | - | Thetford. |
| George Byng, Esq. | - | Middlesex. |
| J. B. Church, Esq. | - | Wendover. |
| T. W. Coke, Esq. | - | Norfolk. |
| E. Coke, Esq. | - | Derby. |
| W. Colquhoun, Esq. | - | Bedford. |
| J. Courtenay, Esq. | - | Tamworth. |
| T. C. Crespigny, Esq. | - | Sudbury. |
| John Crewe, Esq. | - | Cheshire. |
| Hon. Thomas Erskine, | - | Portsmouth. |
| Sir H. Fetherstonhaugh, Bart. | - | Do. |
| Sir H. Fletcher, Bart. | - | Cumberland. |
| Sir H. R. Fitzpatrick, | - | Tavistock. |
| Hon. Ed. Foley, | - | Worcestershire. |
| Ralph Milbanke, Esq. | - | Durham County. |
| R. S. Milnes, Esq. | - | York. |
| R. H. Charles James Fox, | - | Westminster. |
| Philip Francis, Esq. | - | Blechnigly. |
| John Harcourt, Esq. | - | Ilchester. |
| James Hare, Esq. | - | Knaresbrough. |
| Filmer Honeywood, Esq. | - | Kent. |
| Henry Howard, Esq. | - | Arundel. |
| David Howell, Esq. | - | St. Michael's. |
| William Hufsey, Esq. | - | New Sarum. |
| Joseph Jekyll, Esq. | - | Calne. |
| Sir William Lemon, Bart. | - | Cornwall. |
| Colonel Macleod, | - | Invernesshire. |
| Hon. Major Maitland, | - | Jedburgh, &c. |
| Sir William Milner, Bart. | - | York. |
| Dudley North, Esq. | - | Great Grimby. |
| William Plumer, Esq. | - | Hertfordshire. |
| W. Powlett, Esq. | - | Totness. |
| Sir M. W. Ridley, Bart. | - | Newcastle. |
| Lord William Russell, | - | Surry. |

| | | |
|------------------------------|---|-------------------|
| Hon. St. Andrew St. John, | - | Bedfordshire. |
| W. Cunliffe Shaw, Esq. | - | Preston. |
| R. B. Sheridan, Esq. | - | Stafford. |
| William Smith, Esq. | - | Camelford. |
| Henry Speed, Esq. | - | Huntingdon. |
| Lord Robert Spencer, | - | Wareham. |
| Charles Sturt, Esq. | - | Bridport. |
| Colonel Tarleton, | - | Liverpool. |
| M. A. Taylor, Esq. | - | Poole. |
| Thomas Thompson, Esq. | - | Exeter. |
| Lord John Townshend | - | Knareborough. |
| Sir Frederick Vane, Bart. | - | Winchester. |
| B. Vaughan, Esq. | - | Calne. |
| Robert Vyner, Esq. | - | Thirsk. |
| J. Wafwyn, Esq. | - | Hereford. |
| C. C. Western, Esq. | - | Malden. |
| John Wharton, Esq. | - | Beverley. |
| Samuel Whitbread, jun. Esq. | - | Bedford. |
| Thomas Whitmore, Esq. | - | Bridgenorth. |
| Roger Wilbraham, Esq. | - | Bodmyn. |
| Sir Edward Winnington, Bart. | - | Droitwich. |
| Earl Wycombe, | - | Chipping Wycombe. |

In all 59.

T E L L E R S.

| | | |
|--------------------|---|-----------------|
| William Adam, Esq. | - | Ross-shire. |
| Charles Grey, Esq. | - | Northumberland. |

Total 61.

[In order to make our Work complete, and furnish the Reader with the subjects that called for and occasioned the Debates, which are in this publication reported, it is our intention regularly to insert Copies of all STATE PAPERS, TREATIES, and CONVENTIONS laid upon the Table of the Houses of Parliament, and also Copies of such PROTESTS as shall from time to time be entered on the Journals of the House of Lords.]

Authentic Copies of the several Treaties and Conventions, laid upon the Table in the House of Lords by Lord GRENVILLE, and in the House of Commons by Mr. Secretary DUNDAS.

Convention between His Britannick Majesty and the Empress of Russia. Signed at London, the 25th of March 1793.

THEIR Majesties the King of Great Britain and the Empress of all the Russias, equally convinced of the importance and advantage to the two monarchies of the extension of the commerce which has hitherto subsisted between their respective subjects, have acknowledged the necessity of immediately providing for this object by preliminary stipulations, till a definitive arrangement for a treaty of commerce can be agreed upon between the two crowns. For this purpose, they have chosen and authorised, viz. His Britannick Majesty, the Most Illustrious and Most Excellent Lord William Wyndham, Baron Grenville of Wotton, one of his Majesty's Privy Council, and his Principal Secretary of State for Foreign Affairs; and Her Majesty the Empress of all the Russias, the Most Illustrious and Most Excellent Lord, Count Simon Woronzow, Lieutenant-General of the Armies of her said Imperial Majesty, her Envoy Extraordinary and Minister Plenipotentiary to His Britannick Majesty, and Knight of the Orders of St. Alexander Newsky, of the Military Order of St. George of the Third Class, and of St. Vladimir, Great Cross of the First Class: Who, after communicating to each other their full powers, finding them to be in good and due form, have agreed upon the following Articles:

ARTICLE I. The treaty of friendship, commerce, and navigation, concluded at St. Petersburg in the year 1766, between the two monarchies, shall resume its force and activity, which shall continue, in all the clauses and stipulations, during the space of time hereafter fixed; and the two high contracting parties engage to employ themselves, in the interval, in the arrangement of a new treaty of commerce, for the purpose of securing, in a permanent manner, whatever may tend to consolidate and to extend the commerce and the navigation of the British and Russian subjects. In consequence whereof, His Britannick Majesty, and Her Majesty the Empress of all the Russias, engage and promise reciprocally to execute, observe, and accomplish, in all points, the above-mentioned clauses and stipulations of the treaty of commerce of the year 1766, as if they were inserted here word for word, and in the same manner in which they were executed, observed, and accomplished before the year 1787, being the date of the expiration of the said Treaty; with exception only of those alterations which are agreed upon by the present act, and which will be mentioned in the following Articles.

ART. II. The college of commerce being no longer a court of justice, law-suits, and other affairs of English merchants established in Russia, shall be judged and regulated by the tribunals established for this purpose, in the same manner as is practised with regard to other nations who have treaties of commerce. In return

case, from their said ports for France, of any military or naval stores, or corn, grain, salt meat, or other provisions; and to take all other measures in their power for injuring the commerce of France, and for bringing her, by such means, to just conditions of peace.

ART. IV. Their Majesties engage to unite all their efforts to prevent other powers, not implicated in this war, from giving, on this occasion of common concern to every civilized state, any protection whatever, directly or indirectly, in consequence of their neutrality, to the commerce or property of the French, on the sea, or in the ports of France.

ART. V. Their Majesties, desiring mutually and ardently to confirm and consolidate, as much as possible, the friendship and union now subsisting between them, and to protect and extend the commerce between their respective subjects, will authorise their ministers to proceed, without delay, to the formation of a definitive arrangement for a treaty of alliance and commerce. In the mean time, and until that happy work can be effected, they have agreed to renew, provisionally, the treaty of 1766, by a preliminary agreement of the same date with this convention, and exchanged in like manner between the above-mentioned ministers.

ART. VI. His Britannick Majesty and Her Imperial Majesty of all the Russias, engage to ratify the present convention; and the ratifications thereof shall be exchanged in the space of three months, or sooner, if it can be done, to be computed from the day of the signature.

In witness whereof, we the undersigned Plenipotentiaries of their Majesties the King of Great Britain and the Empress of all the Russias, have signed the present convention, and have caused the seals of our arms to be affixed thereto.

Done at London, this twenty-fifth of March, in the year one thousand seven hundred and ninety-three.

S. Comte WORONZOW, (L.S.)

Treaty between His Britannick Majesty and the Landgrave of Hesse Cassel. Signed at Cassel, the 10th of April 1793.

BE it known to those whom it may concern, that His Majesty the King of Great Britain, and His Serene Highness the Landgrave of Hesse Cassel, in consideration of the strict ties which unite the interest of their respective houses, and having judged that, in the present situation of affairs, it would contribute to the reciprocal welfare of Great Britain and of Hesse, to cement and strengthen, by a new treaty of alliance, the connection which subsists between them; His Britannick Majesty, in order to regulate the objects relative to this alliance, has thought proper to send to Cassel the Right Honourable Thomas Earl of Elgin, and of Kinkardine, Baron Bruce of Kinross, His Minister Plenipotentiary; and His Serene Highness has nominated, on his part, for the same purpose, the Baron Maurice Frederick, of Munchausen, his actual Minister of State, Privy Counsellor, and Knight of the Order of the Golden Lion, and his Director of the College and Treasury of War; and John Francis Kunkel, Privy Counsellor of War: Who, being furnished with the necessary full powers,

powers, have agreed to take for basis of the present Treaty, the Treaties which were formerly concluded between Great Britain and Hesse, to adopt such parts of them as may be applicable to the present circumstances, or to settle by new articles those points, which it may be necessary to regulate otherwise. Every thing, which shall not otherwise be settled, shall be deemed subsisting in full force, in the manner expressed in the above-mentioned Treaties; and, as it is not possible to specify each particular case, every thing which shall not appear to be determined in a precise manner, either in the present Treaty, or in the former Treaties, shall be settled with equity and good faith, in conformity to the same principles, which it is agreed on both sides to adopt, for the regulation of such cases, whether during the course of the war, or after its conclusion.

ART. I. There shall be therefore, in virtue of this Treaty, between His Majesty the King of Great Britain, and His Serene Highness the Landgrave of Hesse Cassel, their successors and heirs, a strict friendship, and a sincere, firm, and constant union, so that the one shall consider the interests of the other as his own, and shall strive to promote them with good faith, as much as possible, and mutually to prevent and remove all disturbance and injury.

ART. II. With this view, it is agreed, that all the former Treaties, especially those of guaranty, shall be deemed to be renewed and confirmed by the present Treaty, in all their points, articles, and clauses, and shall have the same force, as if they were herein inserted word for word, in as much as the same is not derogated from by the present Treaty.

ART. III. His Majesty the King of Great Britain, desiring to secure for his service in Europe a body of the troops of the Serene Landgrave, and His Serene Highness, wishing for nothing more than to give His Majesty real proofs of his strong attachment for him, engages, by virtue of this article, to keep in readiness for this purpose, during the space of three successive years, reckoning from the day of the signature of the present Treaty, a body of eight thousand men, as well infantry as cavalry, or chasseurs, including officers. This corps shall be completely equipped, furnished with tents, and all necessary equipage; in a word, shall be put upon the best possible footing; and nobody shall be admitted into it but men capable of serving, acknowledged as such by the commissary of His Britannick Majesty. This corps shall march in two divisions: The first, consisting of four thousand men, shall be composed of a corps of infantry with the artillery men, and of a regiment of cavalry. Formerly the signature of Treaties preceded for some time the period of the requisition for the march of the troops; but as, in the present circumstances, there is no time to be lost, the day of the signature of the present Treaty is deemed to be also the period of the requisition, and the first division of four thousand men shall be in readiness to pass in review before the commissary of His Britannick Majesty on the eighth of next month, and to begin its march the following day for the place of its destination. The second division, consisting also of four thousand men, and composed of a corps of infantry, of a battalion of chasseurs, and of two regiments of cavalry, shall be in readiness to pass in review the 5th

of June, and shall be ready to march in eight weeks from the day of the conclusion of the present Treaty, or even sooner if it is possible. These troops shall not be separated, unless the cause of war should require it, but shall continue under the orders of their Hessian chief, under the command, however, of the General to whom His Britannick Majesty shall entrust that of his whole army: And the second division shall only be conducted to those places where the first shall be, unless it should be contrary to the plan of operations.

ART. IV. Each battalion of infantry of this corps of troops shall be provided with two field-pieces, and the officers, cannoneers, and other men and equipage attached to them.

ART. V. In order to defray the expences to which the Serene Landgrave shall be put, by equipping the above-mentioned corps of eight thousand men, His Majesty the King of Great Britain promises to pay to His Serene Highness, for each horseman or dragoon, properly armed and mounted, 80 crowns Banco, and for each foot soldier 30 crowns Banco. This levy-money for the first division shall be paid fifteen days after the signature of the present Treaty. With regard to the levy-money for the second division, one half thereof shall be paid on the eighth of next month, and the other half on the day on which the second division shall begin its march. The levy-money shall be paid for the same description of persons for whom it was given in the former alliances.

ART. VI. Besides what is stipulated in the preceding article, His Majesty the King of Great Britain engages to cause to be paid annually, during the three years that this Treaty shall last, a subsidy and an half, fixing the sum according to the custom established for the subsidies in the former Treaties. This subsidy shall commence from the day of the signature of this Treaty, and it shall be paid at the rate of two hundred and twenty-five thousand crowns Banco per annum, the crown being reckoned at fifty-three sols of Holland, or at four shillings and nine-pence three farthings English money.

When the said troops shall be sent back by his Britannick Majesty, from the day of their return into the territories of his Serene Highness, till the expiration of the treaty, the subsidy shall be continued upon the same footing of 225,000 crowns Banco per annum. The payment of this subsidy shall be regularly paid without any deduction, and quarterly, in the town of Cassel, into the military treasury of the Serene Landgrave, authorised to receive it; and in case that on either side it should be judged expedient that the number of the corps of troops should exceed eight thousand, the subsidy shall be proportionably augmented, unless it shall be otherwise agreed upon. His Majesty shall continue equally to this corps the pay and other emoluments during the remainder of the month in which it shall repass the frontiers of Hesse, and arrive in the territories of his Serene Highness, that is to say Hesse, properly so called.

ART. VII. With regard to what relates to the pay and allowance, both ordinary and extraordinary, of the said troops, during the time that they shall be actually in the pay of Great Britain; it is

WOODFALL'S PARLIAMENTARY REPORTS.]

agreed

agreed, that, as long as they shall serve in the empire, they shall enjoy the same advantages and emoluments which his Majesty grants to his German troops, according to the effective establishment of the said corps of troops at the time of their being delivered, which shall be verified by a list signed by the respective ministers of the high contracting parties, which shall have the same force as if it were inserted word for word in the present treaty. During the time that they shall be employed in the Low Countries, they shall be treated in the above mentioned respect, upon the footing of Dutch troops; it being understood that in both cases, that is to say, in that of the German pay, as well as that of the Dutch, the allowances shall not be inferior to what was granted in former wars; and if the nature of the war should require that those troops should serve in different countries upon the continent of Europe from those above mentioned; they shall, in that case, be put, in every respect, on the same footing with the most favoured of His Majesty's auxiliary troops.

If it shall happen that they should be employed in Great Britain, or in Ireland, as soon as the notification, in such case, shall be made to the Serene Landgrave, they shall be put on the same footing, in every respect, as the national British troops.

All these allowances for those troops shall be paid into the military treasury of His Serene Highness, without any abatement or diminution, in order to be distributed.

ART. VIII. If it should unfortunately happen that some regiments or companies of the corps above mentioned, should, by any accidents, be wholly or partially ruined or destroyed, or that the pieces of artillery or other effects, with which it may be provided, should be taken by the enemy, His Majesty the King of Great Britain will pay the expences of the necessary recruits and remounting, as also the value of the said field artillery and effects; in order speedily to restore the artillery, regiments or companies to their former state: And those recruits shall likewise be put upon the same footing as those which were furnished to the Hessian officers, in virtue of the fifth article of the treaty of 1702, in order that the corps may be always preserved and sent back hereafter in as good a state as that in which it was delivered; and the recruits annually necessary shall be delivered to the English commissary, disciplined and completely equipped, at the place of their destination, at the time which his Britannick Majesty shall appoint.

ART. IX. It will depend upon his Britannick Majesty to retain this corps of troops in his service all the time of the duration of this Treaty, to make use of them in any part of Europe where he may have occasion for them, provided it be not on board the fleet, from the time of its quitting the territories of the Serene Landgrave; and when His Majesty the King of Great Britain shall think proper to send back the said troops, he shall give three months previous notice to His Serene Highness, and shall make him an allowance of a month's pay for their return, furnishing them also with the necessary means of transport gratis.

ART. X. His Britannick Majesty promises to attend, as much as possible, to the safety of the dominions and possessions of His Serene Highness, and to direct the military operations, as much as circumstances may permit, in such a manner that the country of His Serene Highness may be covered and spared as much as possible. If, however, notwithstanding the precautions which shall be taken with that view, the country of his Serene Highness should be invaded by the enemy, on account of his alliance, and the present Treaty, His Britannick Majesty shall endeavour to procure to the country of His Highness the Landgrave, an indemnification proportionable to the loss occasioned thereby, according to what has been formerly done on similar occasions.

ART. XI. The sick of the Hessian corps shall remain under the care of their own physicians, surgeons, and other persons appointed for that purpose, under the command of the General commanding corps of those troops, and every thing shall be granted to them which is granted to His Majesty's own troops.

ART. XII. All Hessian deserters shall be faithfully restored, as often as they shall be discovered in places dependent upon His Britannick Majesty.

ART. XIII. In consideration that the article of recruiting becomes daily more expensive in Germany, on account of the numerous armies which are there kept on foot, and that the vacant pay is regarded as the principal fund to defray that expence, it is agreed, that, at the review to be made in the spring, at the beginning of the campaign, by the commissary of His Britannick Majesty, the corps ought to be complete, or the pay of those wanting to complete shall be retained; on the other hand, the pay of those who may be wanting from one spring review to the next shall not be retained, but shall be allowed without abatement, as if they were complete; and, instead of what was formerly paid for recruiting, in the room of one killed or three wounded, it is agreed, that, without distinction, each man furnished shall be supplied at the rate of twelve crowns Banco a head, under the express condition, however, that what is here agreed on shall only regard the recruiting, which is the object in this article.

ART. XIV. All the expences of transport for the troops, as well for the men as for their effects, shall be defrayed by his Britannick Majesty.

ART. XV. The situation of affairs having entirely changed its aspect since the commencement of this negotiation, it is stipulated, that if His Britannick Majesty should find that he has not, in the present moment, occasion for the above-mentioned corps of troops, and that his Majesty should countermand their march before the term fixed for the review of the first division: in that case His Majesty shall be bound to pay to His Serene Highness the levy money for the whole corps of 8,000 men, and a double subsidy, for one year only; that is to say, 300,000 crowns Banco, which shall be instead of the different stipulations contained in the above fourteen articles.

articles. The payment of the levy money shall, in such case, be made on the 8th of the next month, and that of the subsidy in quarterly payments, in one year, reckoning from the date of the signature of the present Treaty. But it is expressly agreed, that, in the mean time, this article shall in no degree suspend either the preparations or the payment, which it has been agreed on each side to make.

ART. XVI. This Treaty shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged as soon as possible. In witness whereof we, the undersigned, authorized by the full power of His Majesty the King of Great Britain, on one side, and of his Serene Highness the reigning Landgrave of Hesse Cassel, on the other, have signed the present Treaty, and have thereto put the seals of our arms. Done at Cassel, the 10th of April, 1793.

ELGIN (L. S.)

Convention between his Britannick Majesty and the Landgrave of Hesse Cassel. Signed at Maykammer, the 23d Day of August, 1793.

HIS Majesty the King of Great Britain, and his Serene Highness the Landgrave of Hesse Cassel, having judged it mutually advantageous to strengthen and consolidate the ancient bonds of friendship, which so happily unite the two sovereigns, by a treaty of subsidy, concluded at Cassel the 10th day of the month of April, 1793; and His Britannick Majesty having thought fit, in the present situation of affairs, further to augment the corps of troops employed against the common enemy, has charged, on his part, the Earl of Yarmouth, one of His Majesty's Most Honourable Privy Council, to negotiate and conclude, with Baron Frederick Segismund Waitz de Eschen, President of the College of Trade, and Privy Councillor, and with the Director of the Treasury of War, John Francis Kunckell, Privy Councillor of War, in the name and on the part of his Serene Highness the Landgrave of Hesse Cassel, an additional article to the treaty of subsidy, concluded the 10th of the month of April, 1793: which Ministers Plenipotentiary, after having communicated to each other their respective full powers, have agreed as follows.

ADDITIONAL ARTICLE. His Serene Highness the Landgrave of Hesse Cassel, in order to give to his His Britannick Majesty a new proof of his eagerness to comply with his desires, engages to furnish, in the space of three weeks, at the disposal of Great Britain, a new corps of his troops of four thousand men, viz. one regiment of dragoons, one regiment of grenadiers, and two regiments of infantry: which corps of troops, whether for the duration of the engagement, or the subsidy, or pay, is ceded to His Britannick Majesty by His Serene Highness absolutely upon the same conditions which have been stipulated for the corps of eight thousand Hessians, which

observed on the part of his Sicilian Majesty; and to this end the necessary and proper orders shall be respectively given to those whom it may concern.

ART. VIII. If, in the course of the events which may occur, His Sicilian Majesty shall judge that he cannot any longer, with justice and dignity, continue the war, he declares, not only that he will not make peace without stipulating, that the above-mentioned conditions, in the second article of this treaty, shall be at the same time offered, on the part of the enemy, to His Britannick Majesty, but also, that if His Britannick Majesty should, notwithstanding, determine to continue the war, His Sicilian Majesty shall observe a strict and exact neutrality during all its further duration.

ART. IX. His Britannick Majesty, at the future peace, and at the congresses which may be held for that purpose, will give all requisite attention to the welfare and security of Italy, and especially to the dignity and interests of the Crown of the Two Sicilies, and to the procuring for his Sicilian Majesty, at the peace, all due satisfaction and security.

ART. X. The present convention shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged in due form, in the space of three months, or sooner, if it can be done, to be computed from the day of the signature.

In witness whereof we the undersigned, furnished with the full powers of our respective sovereigns, have signed the present convention, and have caused the seals of our arms to be affixed thereto.

Done at Naples, the twelfth day of the month of July, in the year 1793.

| | | |
|----------------------|-------------------------|---------|
| | JEAN ACTON. | (L. S.) |
| (L. S.) W. HAMILTON. | MARQUIS CH. DEMARCO. | (L. S.) |
| | LE MARQUIS DE CIRCELLO. | (L. S.) |

Convention between His Britannick Majesty and the King of Prussia. Signed at the Camp before Mayence, the 14th of July 1793.

THEIR Majesties the King of Great Britain and the King of Prussia, in consequence of the ties of friendship and of alliance by which they are now so happily united, and animated by the desire of establishing with each other a more direct and a more confidential communication upon every thing which relates to the unjust and cruel war, which the persons who exercise the powers of government in France have commenced against several great powers in Europe, adopting towards others measures equally unjust and offensive, and conducting themselves towards them by principles incompatible with the security and the tranquillity of all independent

pendent states, and even with the existence of all social order; Their said Majesties have thought proper to concert together upon the means of opposing a sufficient barrier to the dangers which threaten all Europe, in consequence of such principles, views, and conduct. Their Majesties have therefore authorised their respective Ministers Plenipotentiary, to wit, His Majesty the King of Great Britain, the Earl of Beauchamp, One of His said Majesty's Privy Council; and His Majesty the King of Prussia, the Marquis Jerome de Lucchesini, his Actual Chamberlain, Knight of the Orders of the Black Eagle, and of the Red Eagle: Who, after having communicated to each other their respective full powers, have agreed to the following articles.

ARTICLE I. Their Britannick and Prussian Majesties will exert all their endeavours to establish and to maintain with each other the most perfect concert, and the most intimate confidence, upon all the objects relative to the present war. The two high contracting parties, seeing in the same point of view the indispensable necessity of continuing their plans and operations for the accomplishment of the just and lawful object of a peace, in which all Europe may find tranquillity and security, will continue to employ their respective forces, as far as their circumstances will permit, in carrying on a war equally just and necessary.

ART. II. Their Majesties the King of Great Britain and the King of Prussia reciprocally promise not to lay down their arms but by common consent, without having obtained restitution of all the conquests which France may have made upon either of the two high contracting parties, or upon such other of the powers, friends or allies of Their said Majesties, to whom they shall judge proper to extend this guaranty, by common consent.

ART. III. The high contracting parties having already taken the resolution to shut all their ports against French ships, and not to permit the exportation, in any case, from their said ports for France, of any military or naval stores, or corn, grain, salt meat, or other provisions, they reciprocally engage to continue those measures, and promise to employ all other means which shall be in their power for injuring the commerce of France, and for bringing her, by such means, to just conditions of peace.

ART. IV. Their Majesties engage to unite all their efforts to prevent, on this occasion of common concern to every civilized state, other powers, not implicated in this war, from giving, in consequence of their neutrality, any protection whatever, directly or indirectly, to the commerce or property of the French, on the sea, or in the ports of France.

ART. V. Their Britannick and Prussian Majesties engage to ratify the present convention; and the ratifications thereof shall be exchanged in the space of six weeks, or sooner, if it can be done, to be computed from the day of the signature of the present convention.

In witness whereof, we the undersigned, Plenipotentiaries of His Majesty the King of Great Britain and of His Majesty the

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King

King of Prussia, have signed the present convention, and have caused the seals of our arms to be affixed thereto.

Done at the camp before Mayence, the 14th of July, 1793.

BEAUCHAMP. (L.S.) JEROME Marquis de LUCCHESINI. (L.S.)

Convention between His Majesty the Emperor and His Britannick Majesty. Signed at London, the 30th day of August 1793.

HIS Majesty the Emperor and His Majesty the King of Great Britain, finding themselves equally engaged in a war with France, and desiring to act conjointly and with vigour, in order to provide, by that means, for the common interests of their dominions, as well as for the general tranquillity of Europe, have determined to establish with each other a perfect and confidential concert and co-operation in every thing which may relate to that war. Their Majesties have therefore named for that purpose their respective ministers, to wit, His Majesty the Emperor, the Most Illustrious and Most Excellent Lord, Lewis Count of Starhemberg, Count of the Holy Roman Empire, his actual Chamberlain, and his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Great Britain; and His Majesty the King of Great Britain, the Most Illustrious and Most Excellent Lord William Wyndham, Baron Grenville of Wotton, one of His Majesty's Most Honourable Privy Council, and His Principal Secretary of State for the Department of Foreign Affairs: Who, after having communicated to each other their respective full powers, have agreed upon the following articles:

ARTICLE I. There shall be, upon all points relative to the present war, the most perfect concert, and the most intimate confidence between the two high contracting parties; and they mutually engage to employ their forces, as far as circumstances shall permit, in the most efficacious manner, and to concert together upon all military operations, in order to annoy the enemy, and to contribute to the advantage of the common cause.

ART. II. Their said Majesties reciprocally engage to shut their ports against French vessels; not to permit in any instance, warlike or naval stores, corn, grain, salted meat, or other provisions, to be exported from their said ports for France; and to take all other means in their power to annoy the commerce of France, and thereby to reduce her to just conditions of peace.

ART. III. Their Majesties engage to unite all their efforts to prevent other powers, who shall not take part in this war, from giving, on this occasion of common interest to every civilized state, any protection whatever, direct or indirect, in consequence of their neutrality, to the commerce or to the property of the French, at sea, or in the ports of France.

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ART. IV. Their Imperial and Britannick Majesties reciprocally promise not to lay down their arms (unless by common consent) without having obtained the restitution of all the dominions, territories, towns or places, which may have belonged to either of them before the commencement of the war, and which the enemy may have taken during the course of hostilities, or which may likewise have belonged to such of the powers, friends or allies of their said Majesties, to whom they shall judge proper by common consent to extend this guaranty.

ART. V. If either of the two high contracting parties should be attacked, molested, or disturbed in his dominions, rights, possessions, or interests, at any time or in any manner whatever, by land or by sea, in consequence and in hatred of the articles or stipulations contained in the present convention, or of the measures to be taken by the said high contracting parties, in virtue of this convention, the other contracting party engages to assist him, and to make common cause with him, in the manner stipulated in the preceding articles.

ART. VI. His Majesty the Emperor, and His Majesty the King of Great Britain, engage to ratify the present convention; and the ratification thereof shall be exchanged in the space of six weeks, or sooner, if it can be done, to be computed from the day of the signature.

In witness whereof, we the undersigned, Plenipotentiaries of their respective Majesties, have signed the present convention, and have affixed thereto the seal of our arms.

Done at London, the thirtieth day of August, in the year one thousand seven hundred and ninety-three.

GRENVILLE. (L. S.)

Treaty between His Britannick Majesty and the Margrave of Baden.
Signed at Carlruhe, the 21st Day of September 1793.

BE it known to those whom it may concern, that His Majesty the King of Great Britain, being desirous of taking into his service a corps of the troops of His Serene Highness the Margrave of Baden, to be employed in the present war against France, and His Serene Highness being disposed, as a proof of his attachment to His said Majesty, to furnish a corps of his said troops, His Britannick Majesty has thought proper to nominate, on his part, as his Minister Plenipotentiary, Francis Earl of Yarmouth, one of his said Majesty's Most Honourable Privy Council; and His Serene Highness has nominated, on his side, for the same purpose, the Baron of Gailing, Minister of State, and President of the Chamber of Finance: Who being furnished with the necessary full powers, have agreed to take for basis of the present Treaty, the Treaty concluded at Cassel, the 10th of April last, between His Britannick Majesty and the Landgrave of Hesse Cassel. In consequence, it is agreed, that His Highness

nests the Margrave of Baden shall enjoy, proportionally, for his corps of troops, all the advantages granted to His Highness the Landgrave of Hesse Cassel, as well in the said Treaty as in the secret articles, in case there should be any; that every thing which shall not be determined by the following articles, in a precise manner, shall be regulated, in future, according to the principles of equity and good faith, which have conducted the whole of the present negotiation; and the said Plenipotentiaries have agreed, accordingly, upon the following articles:

ARTICLE I. There shall be, therefore, in virtue of this Treaty, between His Majesty the King of Great Britain, and His Serene Highness the Margrave of Baden, their successors and heirs, a strict friendship, and a sincere, firm, and constant union, so that the one shall consider the interest of the other as his own, and shall strive to promote them with good faith, as much as possible, and mutually to prevent and remove all disturbance and injury.

ART. II. His Majesty the King of Great Britain, desiring to secure for his service a body of the troops of the Serene Margrave, and His Serene Highness, wishing for nothing more than to give the King real proofs of his strong attachment for His Majesty, and of his desire to co-operate, as much as lies in his power, towards the common object of the present war against France, engages, by virtue of this article, to keep in readiness for this purpose, during the space of three successive years, reckoning from the day of the signature of the present Treaty, a body of seven hundred and fifty-four men, including officers, according to the specification hereunto annexed: This corps shall be completely equipped, furnished with tents, and all necessary equipage, and shall be put upon the best possible footing, and none shall be admitted into it but disciplined men, and capable of serving immediately, acknowledged as such by the Commissary of his Britannick Majesty. As in the present circumstances there is no time to be lost, the above mentioned Plenipotentiaries have agreed that the day of the signature of the present Treaty shall be deemed to be also the period of the requisition for the march of the troops above mentioned; and that the said troops shall be in readiness to pass in review before the Commissary of His Britannick Majesty on the 10th of the month of October 1793, and shall be ready to begin their march on the following day for the place of their destination. These troops shall not be separated, unless the course of the war shall require it, but shall continue under the orders of their Baden chief, under the command, however, of the General to whom His Britannick Majesty shall entrust that of his whole army.

ART. III. Each battalion of infantry of this corps of troops shall be provided with two field-pieces, and the officers, cannoniers, and other men and equipage attached to them.

ART. IV. In order to defray the expence to which the Serene Margrave shall be put, by equipping the above-mentioned corps of seven hundred and fifty-four men, His Majesty the King of Great Britain

Britain promises to pay to His Serene Highness, for each horseman or dragoon, properly armed and mounted, eighty crowns banco, and for each foot soldier, thirty crowns banco. This levy-money shall be paid in fifteen days after the signature of the present Treaty.

ART. V. Besides what is stipulated in the preceding article, His Majesty the King of Great Britain engages to cause to be paid to the Serene Margrave, an annual subsidy during the three years that this Treaty shall last. This subsidy shall commence from the day of the signature of this Treaty, and it shall be paid at the rate of twenty-one thousand two hundred and sixteen crowns banco, per annum, the crown being reckoned at fifty-three sols of Holland, or at four shillings and nine pence three farthings English money.

When the said troops shall be sent back by His Britannick Majesty, from the day of their return into the Margraviate of Baden, till the expiration of the Treaty, the subsidy shall be continued upon the same footing of twenty-one thousand two hundred and sixteen crowns banco, per annum. The payment of this subsidy shall be regularly made without any deduction, and quarterly, in the town of Carlsruhe, into the military treasury of the Serene Margrave authorised to receive it; and in case that, on either side, it should be judged expedient that the number of the corps of troops should exceed seven hundred and fifty-four, the subsidy shall be proportionably augmented, unless it shall be otherwise agreed upon. His Majesty shall continue equally to this corps the pay and other emoluments, during the remainder of the month in which it shall repass the frontiers of the Margraviate of Baden, and arrive in the territories of His Serene Highness.

ART. VI. With regard to what relates to the pay and allowances, both ordinary and extraordinary, of the said troops, during the time that they shall be actually in the pay of Great Britain, it is agreed, that, as long as they shall serve in the Empire, they shall enjoy the same advantages and emoluments which His Majesty grants to his German troops, according to the effective establishment of the said corps of troops at the time of their being delivered, which shall be verified by a list signed by the respective ministers of the high contracting parties, which shall have the same force as if it were inserted word for word in the present Treaty. During the time that they shall be employed in the Low Countries, they shall be treated in the above-mentioned respect, upon the footing of Dutch troops; it being understood that in both cases, that is to say, in that of the German pay, as well as in that of the Dutch, the allowance shall not be inferior to what was granted in former wars to the Hessian troops; and, if the nature of the war should require that those troops should serve in different countries upon the continent of Europe from those above-mentioned, they shall, in that case, be put in every respect on the same footing with the most favoured of His Majesty's auxiliary troops.

All these allowances for those troops shall be paid into the military treasury of His Serene Highness, without any abatement or diminution, in order to be distributed.

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ART. VII. If it should unfortunately happen that some companies of the corps above-mentioned, should, by any accidents, be wholly or partially ruined or destroyed, or that the pieces of artillery or other effects, with which it may be provided, shall be taken by the enemy, His Majesty the King of Great Britain will pay the expenses of the necessary recruits and remounting, as also the value of the said field-pieces and effects, in order speedily to restore the artillery, regiments, and companies, to their former state; and those recruits shall likewise be put upon the same footing as those of the troops furnished to His Majesty by His Serene Highness the Landgrave of Hesse Cassel, by the Treaty of subsidy, signed at Cassel the 10th of the month of April of the present year; so that the corps of His Serene Highness the Margrave of Baden may be always preserved and sent back hereafter in as good a state as that in which it was delivered; and the recruits annually necessary shall be delivered to the English commissary, disciplined and completely equipped, at the place of their destination, at the time which His Britannick Majesty shall appoint.

ART. VIII. It will depend upon his Britannick Majesty to retain this corps of troops in his service all the time of the duration of this Treaty, to make use of them in any part of Europe where he may have occasion for them, provided it be not on board the fleet, from the time of its quitting the territories of the Serene Margrave; and when His Majesty the King of Great Britain shall think proper to send back the said troops, he shall give three months previous notice to His Serene Highness, and shall make him an allowance of a month's pay for their return, furnishing them also with the necessary means of transport gratis.

ART. IX. His Britannick Majesty promises to attend, as much as possible, to the safety of the dominions and possessions of His Serene Highness, and to direct the military operations, as much as circumstances may permit, in such manner that the country of His Serene Highness may be covered and spared as much as possible. If, however, notwithstanding the precautions which shall be taken with that view, the country of His Serene Highness should be invaded by the enemy, on account of the present Treaty, His Britannick Majesty shall endeavour to procure to the country of His Highness the Margrave, an indemnification proportionable to the loss occasioned by the invasion.

ART. X. The sick of the said Baden corps shall remain under the care of their own physicians, surgeons, and other persons appointed for that purpose, under the command of the colonel commanding the corps of troops, and every thing shall be granted to them which His Majesty grants to his own troops.

ART. XI. All deserters from the said Baden corps shall be faithfully restored, as often as they shall be discovered in places dependent upon His Britannick Majesty.

ART. XII. It is agreed, that, at the review to be made in spring, at the beginning of a campaign, by the commissary of His Britannick Majesty,

Majesty; the corps ought to be compleat, or the pay of those wanting to compleat shall be retained; on the other hand, the pay of those who may be wanting from one spring review to the next shall not be retained, but shall be allowed without abatement, as if they were compleat: and, instead of what was formerly paid for recruiting, in the room of one killed or three wounded, it is agreed, that each man furnished shall be paid for, without distinction, at the rate of twelve crowns Panco a head, under the express condition, however, that what is here agreed on shall only regard the recruiting, which is referred to in this article.

ART. XIII. All the expences of transport for the troops, as well for the men as for their effects, shall be defrayed by His Britannick Majesty.

ART. XIV. This Treaty shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged as soon as possible.

In witness whereof, we the undersigned, authorized by full powers from His Majesty the King of Great Britain on one side, and His Serene Highness the reigning Margrave of Baden on the other, have signed the present Treaty, and have thereto put the seals of our arms.

Done at Carlsruhe, the 21st day of September, in the year of our Lord one thousand seven hundred and ninety three.

YARMOUTH. (L. S.)

Baron de GAILING. (L. S.)

Treaty between His Britannick Majesty and the Queen of Portugal. Signed at London, the 26th of September, 1793.

THEIR Britannick and Most Faithful Majesties having resolved, in consideration of the present circumstances of Europe, to substantiate, by means of a Treaty adapted to those circumstances, their intimate and mutual confidence, as well as the friendship and good understanding which have been so happily established between their August Predecessors, and which they are always desirous more and more to confirm, and improve, have named for that purpose, viz. His Britannick Majesty, the Most Illustrious and Most Excellent Lord William Wyndham, Baron Grenville of Wotton, one of His Majesty's Most Honourable Privy Council, and His Principal Secretary of State for the Department of Foreign Affairs; and Her Most Faithful Majesty, the Most Illustrious and Most Excellent Lord Don John D'Almeida de Mello Castro, Member of the Council of Her Most Faithful Majesty, and Councillor in her Council of Finances, Knight of the Order of Christ, Commander of Port Ancho, in the Order of St. James, and Envoy Extraordinary and Minister Plenipotentiary from Her said Most Faithful Majesty to His Britannick Majesty;

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Who, after having communicated to each other their respective full Powers, have agreed upon the following articles :

ARTICLE I. Their Britannick and Most Faithful Majesties will employ their utmost attention to re-establish the public tranquillity upon solid and permanent foundations, and to maintain their common interests and the security of their respective dominions. And Their Majesty's engage to act in concert, and in the most intimate confidence, for the accomplishment of these salutary ends.

ART. II. The persons who have exercised the powers of government in France, having declared against His Britannick Majesty an unjust and unprovoked war, Her Most Faithful Majesty confirms the obligation which Portugal has contracted by former Treaties for concurring in mutual defence, and engages to furnish, as an auxiliary power and an ally of His Britannick Majesty, all the succours which shall be compatible with her own situation and security, in order that they may act at the absolute disposal of His Britannick Majesty.

ART. III. In consequence of what is stipulated in the preceding article, and in order that the British and Portuguese vessels may be mutually protected during the present war, as well in their navigation as the ports of the two high contracting parties. Their Britannick and Most Faithful Majesties have stipulated and agreed with each other, that their squadrons and ships of war shall convoy, without distinction, the trading vessels of the two nations, in the same manner as is established for those of their own nations, as far as circumstances may permit; and that both their ships of war and trading vessels shall be admitted and protected in their respective ports, and shall be furnished with all the succours of which they may stand in need, at the current prices of the country.

ART. IV. Her Most Faithful Majesty promises to shut all her Ports against all the French ships of war and privateers, during all the time that France shall be at war with His Britannick Majesty; Her Most Faithful Majesty will prohibit her subjects from exporting from her said ports for those of France, or from carrying to the ports of France, from any other port whatsoever, any military or naval stores, or even corn, salted meat, or any other provisions; Her said Majesty also engages not to give, nor to permit her subjects to give, any protection whatsoever, either directly or indirectly, to the trade or property of the French, on the sea, or in the ports of France; and will take, in consequence of what is declared in this article the most severe measures, in order to maintain the above-mentioned prohibition in its full force.

ART. V. If either of the high contracting parties should be attacked, molested or disturbed in any of their dominions, rights, possessions, or interests, at any time or in any manner whatsoever, by sea or land, in consequence or in hatred of the articles or stipulations contained in the present Treaty, or of the measures to be taken by the said contracting parties in virtue of this Treaty, the
other

other contracting party engages to assist and to make common cause, in the manner stipulated by the aforesaid articles.

ART. VI. Their Majesties, in consequence of the stipulations of the Treaties now subsisting between them, as well as of those contained in this Treaty, mutually engage, that in case, during the present war, either for the reason above-mentioned, or for any other cause, France should attack the dominions of Her Most Faithful Majesty, or her ships of war, or trading vessels, or should commit any hostilities whatever, they will not only make common cause in the said war, and afford to each other all possible succours, conformably to the said Treaties, but also that, during the said war, they will shut their ports to all French ships whatsoever; and that they will not lay down their arms (unless by common consent) without having obtained a due satisfaction, as well as restitution, of all the dominions, territories, islands or possessions, which shall have belonged to either power before the commencement of the war, and of which the enemy may have taken possession during the course of hostilities.

ART. VII. Their Britannick and most Faithful Majesties engage to ratify the present Treaty, and the ratifications thereof shall be exchanged in the space of six weeks, to be computed from the day of the signature, or sooner, if it can be done.

In witness whereof, we, the undersigned Ministers Plenipotentiary of their Britannick and Most Faithful Majesties, have signed the present Treaty, and have caused to be affixed thereto the seals of our arms.

Done at London, the twenty-sixth day of September, one thousand seven hundred and ninety-three.

GRENVILLE.

(L. S.)

D. JOAO DE ALMEIDA DE MELLO DE CASTRO. (L. S.)

Treaty between His Britannick Majesty and the Landgrave of H.ße Darmstadt. Signed at Langen Candel, the 5th day of October, 1793.

BE it known to those whom it may concern, that His Majesty the King of Great Britain, being desirous of taking into his service a corps of the troops of His Serene Highness the Landgrave of Hesse Darmstadt, to be employed in the present war against France; and His Serene Highness being disposed, as a proof of his attachment to his said Majesty, to furnish a corps of his said troops, His Britannick Majesty has thought proper to nominate, on his part, as his Minister Plenipotentiary, Francis Earl of Yarmouth, one of his said Majesties Most Honourable Privy Council; and his Serene Highness has nominated, on his side, for the same purpose, Count Francis de Jenison Walworth, Knight of Malta, Marshal of his Court, and Colonel of Cavalry, and George William Panzer-

bieter, his Councillor of the Chamber : who, being furnished with the necessary full powers, have agreed to take for basis of the present treaty, the treaty concluded at Cassel, the 10th of April last, between His Britannick Majesty and the Landgrave of Hesse Cassel ; and the said Plenipotentiaries have agreed, in consequence, upon the following articles.

ARTICLE I. There shall be therefore, in virtue of this treaty between His Majesty the King of Great Britain, and His Serene Highness the Landgrave of Hesse Darmstadt, their successors and heirs, a strict Friendship, and a sincere, firm and constant union, so that the one shall consider the interest of the other as his own, and shall strive to promote them with good faith, as much as possible, and mutually to prevent and remove all disturbance and injury.

ART. II. His Majesty the King of Great Britain, desiring to secure for his service in Europe a body of the troops of the Serene Landgrave, and His Serene Highness, wishing for nothing more than to give the King real proofs of his strong attachment for his Majesty, engages, by virtue of this article, to keep in readiness for this purpose, during the space of three successive years, reckoning from the day of the signature of the present treaty, a body of three thousand men, including officers, according to the specification hereunto annexed. This corps shall be completely equipped, furnished with tents, and all necessary equipage, and shall be put upon the best possible footing, and none shall be admitted into it but disciplined men, and capable of serving immediately, acknowledged as such by the Commissary of His Britannick Majesty. As in the present circumstances there is no time to be lost, the above mentioned Plenipotentiaries have agreed that the day of the signature of the present treaty shall be deemed to be also the period of the requisition for the march of the troops above mentioned ; and that the said troops shall be in readiness to pass in review before the Commissary of His Britannick Majesty on the seventeenth of October of the present year, and to begin its march the following day for the place of its destination. These troops shall not be separated, unless the course of the war should require it, but shall continue under the orders of their Hessian chief, under the command, however, of the general to whom his Britannick Majesty shall entrust that of his whole army.

ART. III. Each battalion of infantry of this corps of troops shall be provided with two field pieces, and the officers, cannoneers, and other men and equipage attached to them.

ART. IV. In order to defray the expences to which the Serene Landgrave shall be put, by equipping the above mentioned corps of three thousand men, His Majesty the King of Great Britain promises to pay to his Serene Highness, for each horseman or dragoon, properly armed and mounted, eighty crowns banco, and for each foot soldier thirty crowns banco. This levy money shall be paid in fifteen days after the signature of the present Treaty.

ART. V. Besides what is stipulated in the preceding article, His Majesty

Majesty the King of Great Britain engages to cause to be paid to the Serene Landgrave, an annual subsidy during the three years that this Treaty shall last. This subsidy shall commence from the day of the signature of this Treaty, and it shall be paid at the rate of eighty four thousand three hundred and seventy-five crowns banco per annum, the crown being reckoned at fifty-three shillings of Holland, or at four shillings and nine pence three farthings English money.

When the said troops shall be sent back by His Britannick Majesty, from the day of their return into the territories of the Serene Landgrave, till the expiration of the Treaty, the subsidy shall be continued upon the same footing of eighty-four thousand three hundred and seventy crowns banco per annum. The payment of this subsidy shall be regularly made without any deduction, and quarterly, in the town of Darmstadt, into the general treasury of the Serene Landgrave authorized to receive it; and in case that, on either side, it should be judged expedient that the number of the corps of troops should exceed three thousand, the subsidy shall be proportionably augmented, unless it shall be otherwise agreed upon. His Majesty shall continue equally to this corps the pay and other emoluments, during the remainder of the month in which it shall repass the frontiers of Darmstadt, and arrive in the territories of His Serene Highness.

ART. VI. With regard to what relates to the pay and allowances, both ordinary and extraordinary, of the said troops, during the time that they shall be actually in the pay of Great Britain, it is agreed that as long as they shall serve in the empire, they shall enjoy the same advantages and emoluments which his Majesty grants to his German troops, according to the effective establishment of the said corps at the time of their being delivered, which shall be verified by a list signed by the respective ministers of the high contracting parties, which shall have the same force as if it were inserted word for word in the present Treaty. During the time that they shall be employed in the low countries, they shall be treated in the above-mentioned respect, upon the footing of Dutch troops, it being understood that in both cases, that is to say, in that of the German pay, as well as in that of the Dutch, the allowances shall not be inferior to what was granted in former wars to the troops of Hesse Cassel; and, if the nature of the war should require that those troops should serve in different countries upon the continent of Europe from those abovementioned, they shall, in that case, be put, in every respect, on the same footing with the most favoured of His Majesty's auxiliary troops.

If it shall happen that they should be employed in Great Britain, or in Ireland, as soon as the notification, in such case, shall be made to the Serene Landgrave, they shall be put on the same footing, in every respect, as His Majesty's British troops.

All these allowances for those troops shall be paid into the general

I. When monarchy shall be re-established in France, and a treaty of peace shall be made and concluded, stipulating, in favour of his Majesty, and his allies, the restitution of all conquests made by France during the war, and a just indemnification for the losses and expenses thereby incurred, and a proper security for the future, His Majesty will restore the town, harbour, and forts of Toulon, together with the ships and stores therein, according to the engagement entered into for that purpose, by the said Vice-Admiral.

II. His Majesty has given directions that the most effectual measures shall be taken for the protection of the persons and property of the inhabitants of the said town, and for procuring them the supplies of provisions, and other articles, of which they may stand in need; and His Majesty is also pleased to approve of continuing all persons who held civil or military employments, in their respective places and occupations, as far as circumstances and the good of the common cause will permit.

III. His Majesty will do every thing in his power, and in concert with his allies, to repel any attacks which may be made against Toulon, and to extend his protection to all those who may be desirous to have recourse to it, under proper conditions.

IV. His Majesty ardently wishes the happiness of France; but by no means desires, on that account, to prescribe the form of its government. The King claims the right of taking a part, only because the anarchy, which now desolates that country, threatens the tranquillity of his own subjects, and that of the other powers of Europe, whose peace and safety materially depend on the re-establishment of order in France, and of a regular system, which may hold out to them a secure ground of negotiation and friendship: And his Majesty does not hesitate to declare, that the re-establishment of monarchy, in the person of Louis XVII. and the lawful heirs of the crown, appears to him the best mode of accomplishing these just and salutary views. This form of government has not only prevailed in France from the earliest times, but, being capable of such limitations as may suit the respective circumstances of different nations, has been proved by experience to be the best adapted, in great countries, to unite the advantages of security and order with real liberty.

Such a system, subject to the wise modifications which may hereafter be made therein, in a regular and legal manner, when tranquillity shall have been restored in France, would afford to his Majesty the best and most pleasing prospect of terminating the evils and miseries now endured by the French nation, and of the renewal of a regular and amicable intercourse between that country and other states.

It is to the attainment of this important object that all his Majesty's measures will be directed; and his protection and assistance will be extended, as far as circumstances will admit, to all those who manifest their desire to concur in so salutary a work.

HOOD.

GILBERT ELLIOTT.

CHARLES O'HARA.

HOUSE OF LORDS.

WEDNESDAY, *January 22.*

The House went to St. James's to present their Address to his Majesty.

HOUSE OF COMMONS.

The usual committees and orders were renewed.

The report of the Address was brought up, and agreed to.

Mr. Fox reminded the House that copies of certain treaties had been laid on the table so late in the last session that there was not an opportunity of taking them into consideration. He wished to know whether or not it was intended to move for taking them into consideration, because some of them appeared to be so adverse to the interests of Great Britain, that if Ministers did not mean to call the attention of the House to them, he would.

The *Chancellor of the Exchequer* said, any gentleman might move to have them brought under discussion, or might deliver his sentiments respecting them when the subsidies stipulated came to be moved for in the Committee of Supply.

Ordered that the Chaplain preach before the House on the 30th instant.

HOUSE OF LORDS.

THURSDAY, *January 23.*

TRIAL OF MR. HASTINGS.

The *Duke of Norfolk* moved, that the order upon their Lordship Journals, to proceed further on the trial of Warren Hastings, Esq. be read; which being done, it appeared that the day appointed for that purpose was the second Tuesday in this session.

His Grace then moved that the order be discharged, and that they should further proceed on that trial on the 13th of February.

A short conversation took place between *Lord Radnor* and the *Lord Chancellor*, after which the motion was agreed to.

MOTION TO ACKNOWLEDGE THE FRENCH REPUBLIC.

Earl Stanhope.—"My Lords, I have always been of opinion that many of the proceedings which have been adopted with respect to France have been adopted from misconception, from false intelligence, or from ignorance of the leading principles, and of the most important facts of the French Revolution. It is, therefore, my wish and my intention to appreciate

even on which the Prussians were encamped, sold for double the price at which they were put up.

"Another expectation held out was, that the Prussians and Austrians were the finest troops in Europe, and that the French wanted discipline. My Lords, I have seen persons who have talked with the Duke of Brunswick and the Austrian Generals on the subject of French discipline, and they are absolutely alarmed:—Beat them on Monday, Tuesday, Wednesday, and they bring men to the cannon's mouth, and attack again on Thursday, and those disciplined troops are forced to retreat; and yet they still want discipline! My Lords, I am sure I do not mean any thing disrespectful to the allied powers; but what was the discipline at Toulon? A sortie was made by English troops, Spanish, Neapolitan, Portuguese, and Emigrants.

"When orders were to be given, were they given with that promptitude which is so necessary in military operations? No: The commands were given by the General in one language, and the different commanders were forced to send for the interpreters, who were not always to be found. In consequence, one half of the troops employed in the sortie were killed and wounded, and the other half ran away. Was this owing to misconduct? No: The sortie, we are informed, was well planned and well executed; but the troops disobeyed orders, and this they call discipline. This confusion at Toulon was like the confusion at Babel.

"The next mode by which the French were to be conquered was by preventing their getting corn, and starving them. France was to be *hermetically sealed up*; or, as was said during the American war, they were to be subdued by a system of *starvation*—by the cruel and disgraceful project of creating a famine. Good God! thirty millions of the human race were to be starved! The folly of such an idea could only be equalled by its wickedness. But were the armies alone to be starved? No: They have proved that they will take care to supply themselves with provisions. The old men then, the women, and the children, the infirm, and the aged, were to be starved! When the young, the active, and vigorous began to feel the want of bread, and the pressure of famine, the natural effect would be, they would be forced into the armies in order to be sure of being amply supplied with provisions. But the truth is, that France is in no want of provisions.

"My Lords, in the debate of Tuesday, the only nobleman who appeared to me to make use of fair reasoning, or met the question properly, was the noble Lord who seconded the motion for the Address; and he allowed it was impossible to imitate the French in the mode of raising troops. I will do
the

the noble Lord justice—it is, my Lords, impossible. The ministers of this country will not enter upon such a measure; the Prussians and Austrians much less. But the excellence of the French military system consists in not enlisting soldiers for life—they only serve for a number of years: Indeed under the old government they were not enlisted for life. Thus the drill-serjeants and veteran soldiers have been dispersed through the country, and have taught the people a mode of discipline which has made them excellent soldiers even before they entered into the army.

“ If this rising of the people in a mass be what the French call it, *The Lever of Archimedes*, the effect, I infer, must be terrific!

“ Your Lordships do not seem to be fully impressed with that enthusiasm which pervades the minds of the French people. Of that enthusiasm I will give your Lordships an instance: A battalion was accused of entertaining counter-revolutionary sentiments, of singing counter-revolutionary songs, and of trampling the national cockade under feet. As soon as the intelligence of this disaffection was received at Paris, the relations and friends of the battalion, to the amount of 600, proceeded in a body to the Convention, and demanded that the national vengeance should cut off those traitors to the Republic. You have heard, my Lords, of one Brutus who condemned his children to death, but he was a public officer and a magistrate, and only did his duty. Here were, however, 600 persons, who, bound by no law, but animated only with a sense of the duty they owed to their country, sacrificed all the fond sentiments, the endearing attachments of kindred and friendship, in order that traitors might receive the just recompence of their treachery.

“ The French, however, have committed many crimes.— They have taken the Civil List; they have taken a quantity, a great quantity of property from the Clergy, and immense sums from individuals, so immense that they will be sufficient to defray all the expences of the next campaign. They have also removed the bells from the churches where they were unprofitably and uselessly dangling. They have made the gold and silver saints descend from the altars, and have sent them to the mint, the crucible, and the melting-pot. But do I deduce the wealth of the Republic from these things? No. If I am asked where the treasury of the French is, I say that it exists in the hearts of the people. They will not want money while there is a single crown in France, nor recruits for their armies, while there is a single man in the country!

“ If

time all the other ministers were to be suspended, and the business of the nation was to stand still.

"As soon, however, as the party called the *Montagne* came into power, they produced a constitution in a few weeks. Of the effect of this constitution, I will afford you a strong proof: When the constitution appeared, the departmental forces were marching to overawe Paris. The constitution met them on the road, and was received with such applause that they all returned home and laid down their arms.

"I will read to you, my Lords, several extracts from the constitution, and you will see that the declaration of the Rights of Men does not sanctify the principle of equality of property, as has been wickedly represented. No, my Lords, the declaration states, that

'The people of France, convinced that the forgetfulness and neglect of the natural rights of man, are the sole causes of the misfortunes of this world, have resolved to promulgate in a solemn declaration, those sacred and inalienable rights; in order that all citizens, being able to compare at all times, the measures of government with the end of every social institution, may never suffer themselves to be oppressed and degraded by tyranny.

'In order also, that the people may never lose sight of the foundations of their liberty and their happiness—the magistrate of the rule of his conduct, and the legislator of the object of his mission—

'In the presence, therefore, of the Supreme Being, the following declaration of the Rights of Men and Citizens is made:

'I. The object of society is the common good.

'Government is instituted for the purpose of guaranteeing to man the enjoyment of his natural and imprescriptible rights.

'II. These rights are,

Equality,

Liberty,

Security of persons and property.'

"The following is the definition of liberty, and a more accurate definition never was given by the wisest men of any age:

'Liberty is that sacred principle which permits every man to do that, which does not injure the rights of another: Its principle is nature—its rule is justice—its end public good—it consists in *doing unto others as you would they should do unto you.*' Thus the great basis of the Christian religion is made the fundamental principle of the French constitution.'

"The

"The definition of property is, that

'The right of property is, that right which belongs to every citizen to enjoy and dispose of at pleasure, goods and revenues, the fruit of labour, and the produce of industry.'

"Such is the outline of the French republican constitution: If it be so wicked, that all nations must plunge themselves into carnage and havoc to destroy it, let ministers speak out and tell us so.

"I will now state what the French say with respect to foreign powers:

'The French people is the friend and the natural ally of every free people.

'It does not interfere in the government of other nations: It does not suffer other nations to interfere in its own.'

"They do not say that Great Britain is not free. No: They once joined in the Jacobin club the flags of England, America, and France, as three nations fit to be united.

"This constitution thus affords you a guarantee, which may induce you to make peace with security—a guarantee of every parish in the kingdom: For it was voluntarily and unanimously subscribed to by every parish in France, as soon as it was presented to them.

"It might hence be supposed that a sufficient reason was afforded to ministers to follow the advice given by Lord Chatham during the American war.—'It is not,' said that great man, 'repealing scraps of paper and parchments called Acts of Parliament, that will produce any advantage: Repeal the ill-blood and ill-will that subsists between this country and America!'

"So do I advise the ministers of the present day: 'Repeal the ill-blood and ill-will that subsists between France and England,' and you will then do wisely and well.

"A noble Duke (Portland), not formerly in the habit of supporting administration, and a noble Earl (Carlisle), inveighed, in the debate of Tuesday, against the French as Atheists. My Lords, I can disprove this charge; but I will first say, that we have no right to interfere in matters of religion.

"My Lords, I will not pretend to assert that there are no Atheists in France; there certainly are; but atheism is not the character of the present rulers. Robespierre, who has been within this day or two so much vilified and traduced, was lately accused in the Jacobin club by a member, of having too much religion.

"Atheism prevailed in France before the revolution. In that kingdom there were three descriptions of people; the

aristocrats and the clergy, the middling or trading class, and the peasantry; these two latter classes, as in most countries, were the true and zealous believers, and sincerely attached to their religion.

"The Atheists of France were the rank Aristocrats, and several literary men and the foremost among the clergy. I remember when I was in France, twenty years ago, being anxious, as a foreigner, to be present at every thing worthy notice, I went to a private house in Paris where meetings were frequently held of the first literary characters of the times, for the sake of conversation and contest. At such meetings a great deal of wit and repartee was to be heard, and I was present at a curious argument between M^{rs}. d'Alembert and a foreign Ambassador, the representative of a Sovereign Prince, I don't mean the noble Earl near me" (Lord Mansfield). (Lord Mansfield and other Peers said, "You mean *Carraccioli*"). Earl Stanhope said, "My Lords, I named not any person, but it was the Neapolitan Ambassador. The question agitated was, whether the existence of a Divinity ought to be imposed on mankind? D'Alembert said 'he thought it was a fair *fraud*.' The Ambassador denied it, and maintained that it was too gross an abuse to be passed on the public. At this conversation, My Lords, there were present many noblemen, ladies of distinction, and many bishops, and of the higher clergy, wearing their gold crosses and their other insignia. My Lords, I will state another curious fact in support of my argument—

The Bishop of Durham rose to speak to order. His Lordship said, that in common with the rest of the House he had listened with great patience to hear the noble Earl's *farra*, which, although it might have been proper for the place, if the noble Earl had enjoyed the honour of a seat in the Club of Jacobins at Paris, certainly was by no means consistent with the decency and decorum usually preserved in that House, where some regard was paid to religion. He trusted, therefore, as the greater part of the noble Earl's speech did not apply to the motion with which it was generally understood he meant to conclude, the House would join with him in expressing a wish that the noble Lord would forbear from discussing topics too serious in themselves to be treated with levity, in any place, much more in a dignified and august assembly, such as that was in which he had the honour to address their Lordships at that moment. With regard to the permanent constitution, of which the noble Earl had spoken in terms of eulogium, the leading members of the Jacobin club would have had very little policy, if they had not held out to the people a form of constitution plausible in itself, but calculated rather to deceive the

the million and cover their own measures, than intended by those who framed it, ever to take place, or be carried into execution.

The Earl of Abingdon reminded their Lordships that the noble Earl had told them in the course of his speech, that he wished to be hanged. Let the House but give the noble Earl rope enough, and he had no doubt but he would hang himself.

Earl Stanhope rose again, and said, as the learned Prelate had thought proper to call him to order, he ought to have shewn in what particular he had been disorderly. In fact he had not been out of order in the smallest degree*; but it was a little extraordinary, that the Honourable and learned Prelate should have charged him with having advanced arguments that did not apply to his motion, before he had insinuated what his motion would be: He would, however, proceed with his speech, and state that curious fact he was about to mention, when he had been interrupted. Among the stores taken in La Vendée—(*Here there was a general exclamation of disgust*) My Lords, said the Earl, I am not defending atheism, or justifying the fact that I have related. I say it was infamous, revoking to decency, and scandalous in the highest degree. I am myself a friend to religion, and I countenance no abuse of it; but, My Lords, I will proceed to the other fact I was about to state—(*The expression of disgust being reiterated*), his Lordship said, My Lords, I will forego my purpose, though it was the mere statement of a matter of fact; but it is enough for me at any time to forbear what I was about to say, when I understand that the House does not like it.

"As the subject is disagreeable to your Lordships, I am sure I will not press it; but as the French had been accused of atheism, I conceived it to be perfectly relevant to prove that atheism was encouraged by the old government and not by the new—One event, however, I will state, and in that I will be as tough as the Bishop. This event occurred in

* His Lordship was correctly right that he was not disorderly; but surely the Bishop was not only defensible, but laudable on a still stronger ground than a mere matter of form. In times like the present it is highly necessary to watch over every expression, tending by its effect to lessen the reverence for religion, the main prop of all subordination and order, in every civilized country; and the higher the assembly in which the expression escapes, the more is it to be guarded against. The feelings of the House on the occasion best spoke the impression of a tale, shocking to a Christian auditory, even though avowedly told with a view to prove that the atheism and the moral depravity of the nobles and higher orders in France, during the existence of the monarchy, had paved the way to that dreadful scene in daily representation, which every Englishman is almost compelled to look at, but turns from with the utmost horror and detestation.

the Jacobin club, in which one member having declared, that he believed in God, there was great applause, and all the members rose up at once and made a similar declaration.

"A few words I wish to say with respect to the conduct of this country to neutral powers. To one (Naples) England says, You may withdraw from your neutrality, and receive still the protection of the allied powers: While to another she says, You shall not secede from the combination!

"My Lords, I have trespassed on your time too long—I therefore shall conclude, by moving,

'That an humble Address be presented to his Majesty, humbly to represent to his Majesty, that the French nation has expressly recognized this sacred principle, 'That no country possesses the right to interfere with another independent nation;' to state to his Majesty, that in the 118th and 119th articles of the Constitution, they have declared, that the French people is the friend and natural ally of every free people, and that it does not interfere in the government of other nations—humbly therefore to beseech his Majesty, in his equity and justice, to ACKNOWLEDGE THE FRENCH REPUBLIC, and thereby lay the foundation of a speedy reconciliation and a permanent peace.'

"My Lords, do the thing that is right and just, and leave the rest to God."

The Earl of Abingdon said, that if the noble Lord's motion had been, that the present republican anarchy of France was the best and fittest government for the blood-thirsty robbers and impious murderers of that country, and that we, acknowledging this, should bind ourselves to keep them in that state, as the one best adapted for such a race of monsters, and not suffer them to have a monarchical, or any better form of government whatever, he would, with heart-felt pleasure and satisfaction, second the noble Lord's motion; but the motion being what it was, in his opinion, the best argument against it was that which it had already received, viz. *a good loud horse-laugh!*

Lord Darnley said, he had wished to have stated his sentiments on the present crisis of affairs, when the Address to his Majesty, on his most gracious speech from the Throne, was moved and under consideration; but as the time of the House had been occupied by hearing other Lords deliver their opinions in support of the Address, with more abilities and more eloquence than he could pretend to, he had forborn offering himself to their Lordships attention, as when he had an opportunity of doing so, he perceived the House to be too much exhausted and fatigued to listen to any arguments which he might have wished

wished to state. He would content himself on the present occasion with making a few observations both relative to the motion of the noble Earl made that day, and to the general topic respecting the prosecution of the war. His Lordship then, in strong and expressive terms, assigned his reasons for concurring, as he had done by his vote, in the Address to his Majesty presented the preceding day. He maintained that it was impossible for the King's ministers to attempt a negotiation at present, without sullying the national honour, and violating that good faith to her allies that had ever characterized Great Britain. He said, he could not but condemn the motion of the noble Earl; he should shudder, if he supposed the ministry of this country would ever treat with those, whose design it was to destroy the laws, the liberty, the happiness of every country, and the Christian religion. He agreed with the noble Duke (Portland) that the war was defensive; he gloried in seeing the noble Duke adding lustre to his numerous amiable private virtues, by this support to ministry, at present so material for the preservation of the country: The noble Earl, he observed, had told their Lordships, that the French had wonderful resources; he agreed with the noble Earl; but so much the greater their resources; so much the greater danger we must expect from their honourable intentions. He said he loved his country; no man wished for peace more; but to treat with the blood-thirsty, would be imprudent. So far did he differ with the noble Earl on the subject, and so convinced was he of the inexpediency and impolicy of the motion, that if the French were desirous to make peace with Great Britain at the present, to restore all their acquisitions, and to put his Majesty in possession of their territories in the East, and their islands in the West-Indies, as the price of peace, the minister who should propose either to treat for or accept it, would deserve to lose his head.

The Earl of Warwick gave his opinion strongly in favour of a vigorous prosecution of the war, and expressed some degree of surprise that a noble Earl, with whose amiable character in private life, and with whose many personal virtues he was so well acquainted, could have prevailed upon himself to bring forward so extraordinary a motion at such a momentous crisis, when every appearance of unanimity and cordial attachment to what he considered not merely as the cause of Great Britain, but of all Europe, was so evidently and so indispensably necessary. His Lordship complimented ministers on the conduct they had pursued, thought it entitled them to the praise of their fellow-subjects, and could not help repeating his astonishment that a noble Earl of such known purity of mind, should have acted the part the noble Earl had done that day. The French,

French, his Lordship observed, did not deserve to be acknowledged as republicans; because their conduct had shewn that they had no pretensions to that character. In their mad career, there was no law, human or divine, that had not been openly violated; and they must have convinced every rational man that a peace with them could neither be permanent nor secure. The great mass of people in this country had shewn themselves steadily attached to the Constitution, and loyal to their King; and the army and navy had displayed the same steadiness to resist every effort to seduce them from their duty. Under these circumstances, all the vigour of the country should be called into action; and little doubt, he thought, would be entertained of our being ultimately successful.

The question was put on Earl Stanhope's motion, and negatived without a division.

Adjourned to Tuesday, Jan. 29.

HOUSE OF COMMONS.

MONDAY, January 27.

Several private petitions were presented, and ordered to lie on the table.

Mr. Hussy presented a petition from the Woolcombers of the City of New Sarum; it stated, that, in consequence of the introduction of a machine, by which the work of thirty men could be performed by one, many Woolcombers were reduced to great distress from want of employment in their business, and prayed relief. Read, and ordered to lie on the table.

Mr. Baring presented a similar petition from the Woolcombers of the City of Exeter.

Mr. Rose presented a petition from the Inhabitants of the Borough of Seaforth, complaining of the undue election of a Member to serve in Parliament for the said Borough; and on his motion, the matter of the petition was appointed to be taken into consideration on Monday the 10th of March.

MR. HASTINGS'S TRIAL.

Mr. Burke moved the same list of Managers as had been appointed heretofore for conducting the Impeachment; and also that Mr. Speaker do attend in his place, at ten o'clock on the morning of Thursday, the 13th of February, to receive a message from the Lords, and proceed to Westminster Hall, whatever may be the number of Members present; which motions were agreed to.

Mr.

Mr. Wigley gave notice, that on the same day he would move that a message be sent to the Lords, requesting them to proceed *de die in diem*, till the trial should be concluded.

AMERICAN INTERCOURSE.

On the motion of *Mr. Dudley Rider*, the American Inter-
course Acts were appointed to be taken into consideration on
Wednesday the 29th.

SUPPLY.

Mr. Hobart brought up the Report of the Committee of
Supply, which was read, and agreed to *nem. con.*

The Chancellor of the Exchequer moved, "That an humble
Address be presented to his Majesty, praying that he would
direct the proper officers to lay before the House, Accounts of
the Ordinaries and Extraordinaries of the Navy and Army for
the present year." Agreed to, and such Members as were of
the Privy Council desired to present the same.

CONDUCT OF THE COURTS OF CRIMINAL LAW OF SCOTLAND.

Mr. Adam observed, that it was necessary for him to say a
few words on a subject, of which he had given notice in the
last session of Parliament, as he felt it necessary to make some
alteration in the form of the motion which he had intended to
make. The House would recollect, that in the last session,
near the conclusion of it, he gave notice that, early in this,
he should bring forward a motion relative to the criminal law
of Scotland, under a committee of the whole House, on courts
of justice, or under some such form, for the purpose of assimila-
ting the criminal law of Scotland to the criminal law of
England. He had been induced to do so in the last session
from the decision in the House of Lords, then recent, that no
appeal shall be had to them from the decision of the Court of
Justiciary in criminal cases. Since that period certain trials
in Scotland had taken place, that made the subject still more
necessary to be discussed, and made it advisable, as he thought,
for him to bring the question forward in a different form from
that in which he intended originally to introduce it: At that
time his intention was to move for leave to bring in one bill to
give an appeal from the criminal courts of Scotland to the
House of Lords, in like manner as at this time obtained from
the different courts in England, and to put the criminal laws,
with regard to appeal, upon the same footing in both coun-
tries. He meant also to provide in the same bill, that crimes
and misdemeanours affecting the state should be put on the
same footing in both countries; that a grand jury should be
had in Scotland in the same cases as in England; to put the
power

power of the Lord Advocate in Scotland on the same footing as the office of the Attorney General of England; and such as had for their object the introduction of petit juries in the inferior courts of criminal jurisdiction, and the regulation of the punishments for contempt, and of the method in which witnesses were examined in both countries.

All of these things he intended to have been included in one bill; but the late judgments of the Court of Justiciary in Scotland had made it necessary for him in some measure to alter his plan of proceeding. He would state the nature of the motion which at present he intended to bring forward. He should bring forward two distinct bills: The one relative to the question of appeal from the decision of the Court of Justiciary in Scotland; the other for assimilating the Criminal Law of the two countries. For that purpose, he should move for a Committee of the whole House, in the nature of a Committee on Courts of Justice. But though he should bring the subject forward in that form; yet, in the course of agitating the bill, it was by no means improbable, if nobody else should do it, that he might move the House, That it might be an instruction to the Committee to insert a clause, giving the right of appeal expressly in all criminal cases that have happened in the courts of Scotland in the year 1793, in order that it might be determined whether the late decisions of that court, in some recent cases, were consistent with law or not; and next, if the unfortunate persons who are now suffering under the judgment of the Court of Justiciary thought themselves aggrieved, such, for instance, as Mr. Muir and Mr. Palmer, and others, it would give them an opportunity, if they should think fit, to bring the matter upon which the whole of their case turned before the Lords, for a full discussion and final determination. This appeared to him highly necessary after what had happened; for most unquestionably the public mind was agitated upon this subject, and therefore it ought to be discussed; and there would be no mode, in his opinion, so proper as that which he had presumed to propose; and therefore it was, that in giving notice, he entered so fully into the subject, as well also as that he might not be accused, when the discussion came on, of going beyond the bill of which he had already given notice. Having stated the nature of the instruction he should move to be given to the Committee, he said, he was then ready to make the motion of leave to bring in the bill, or, if the Honourable Gentlemen on the other side of the House thought proper, he would give notice, &c. of the day on which the motion should be made, and the subject might be debated or the bill brought in, and the discussion might

might be reserved for the time of his moving for an instruction to the Committee of the House to admit the clause for appeal, in all criminal cases determined in the Courts of Scotland in the year 1793. The substance of the first motion was, that "leave be given to bring in a bill to give appeal in criminal cases from the Courts of Scotland to the House of Lords, in matter of law."

Mr. Secretary Dundas admitted, that the matter and proposition had been clearly and candidly stated by the Learned and Honourable Gentleman. He said he should not argue the matter then, as he understood a future time would be appointed for the discussion of it. It had been observed that a certain question, arising out of a late judgment given in the northern part of this kingdom, had agitated the public mind; whenever that question should be brought forward, he should be ready to take a part in the discussion. With regard to the sentences passed by the High Court of Justiciary, he was ready then or at any time to maintain their legality, and would throw such light upon the subject, as should render that point as evident as possible to the House. But he did not choose to suffer this stage of the business to pass without saying that the sentences alluded to were completely founded in law, and that every information to the contrary was entirely without foundation.

Mr. Fox said, he knew not what light the Right Hon. Gentleman might be able to throw on the subject, but he should have imagined that there could not be much objection to the mode of proceeding proposed by his Hon. Friend. The bringing in the bill was to bring the subject forward for discussion. The clauses in it, or the whole tenour of the bill, might or might not, upon due investigation, be deemed to be proper. The bill itself must stand or fall on its own merits. The sentence of the Court of Justiciary might or might not be legal, might be judicious or otherwise. These were questions which were independent of the legality of the sentence upon which the debate upon the motion for special instruction to the Committee might arise, or might be intended to be moved for, and would come properly and regularly before the House to be examined. It was possible, for instance, that those who might think these judgments perfectly legal, might yet think the subject proper for a bill. There might be those who thought, that although the criminal law is not, yet it ought to be, the same in the northern as in the southern part of the kingdom. Whatever might be the legality of these judgments, of this he was sure, that those who had any respect for the law of England, and wished to see

it respected by the public, could not wish to argue these points separately, and without reference to each other.

The Chancellor of the Exchequer said, he differed from the Right Hon. Gentleman upon the latter part of his observation; for he thought the distinct points to which he alluded should be argued separately, as those could join in any part of the bill for altering the law, who had no doubt of the legality of the late judgments, if the alteration were not to proceed upon the ground of an admission of such illegality. He wished to meet the discussion upon the nature of the proposed alteration of the law, and the question of legality of the judgments alluded to, severally upon their distinct and separate merits.

Mr. Sheridan said, he would decline entering into any discussion of the question of legality at present; that question might perhaps turn out to be unnecessary, for possibly if the law was found to be so now, they might be able to prove that the law ought not any longer to continue so. He could not, however, help expressing a hope that the unfortunate gentlemen who were now suffering the judgment (such as it was) of the Court of Scotland, would not be put into a situation to deprive them of the benefit of the disposition of the House, if it should happen to turn out in favour of them.

Mr. Secretary Dundas said, the House should entertain no such confidence against the regular course of law.

Mr. Adam, in explanation of what he intended to move, briefly stated, that he had endeavoured to make it clearly understood, that his intention was, upon bringing in the bill for an Appeal, not to discuss the question at all respecting the late trials; but to confine himself strictly to the general question of the propriety or impropriety of giving an Appeal. The proper time for discussing the trials alluded to, would, in his opinion, be when the instruction to the Committee was moved, to give the bill a retrospect to the year 1793.

Mr. Sheridan said, there ought to be nothing done by surprise on either side in this business. The only proper way would be, for his Honourable Friend, after the second reading of the bill, and before the commitment, to move for the instruction to the Committee, than which nothing could be more regular.

Mr. Anstruther objected to this mode of proceeding; whatever his Honourable Friend intended to move, he would do it at his own option, he would do it to-day or to-morrow, or any other time. If the sentence were such as ought not to have been, and could not legally be passed, they should move
whatever

whatever they pleased upon it, and when they pleased; but a notice of this kind ought not to have produced so many observations. He was glad, however, that the whole matter was to be debated in the House of Commons; as it was more regular than any other mode of proceeding would be. Nothing, in his opinion, could be more clear than the legality of the sentences in question. But some persons, upon what ground he could not tell, had scattered abroad whispers; and had alleged many things that, from the shape they appeared in, would not admit of combat, and could not fairly be discussed. He had no doubt but that the whole conduct of the Court of Justiciary would appear to be completely legal.

Mr. Fox said, he did not understand what the learned Gentleman meant by whispers; the subject had been loudly spoken of, and he knew nothing of any whispers upon that or any other subject, connected with his duty as a member of that House. He did not pretend to be infallible, but he felt no difficulty in saying, that, as far as he had means of information and of knowledge, he believed the sentences alluded to, to be illegal; but he was not quite sure he was right. But he had little difficulty in saying, that *prima facie* these sentences were illegal, unjust, and severe. He had still less difficulty in saying, that if the Court of Justiciary in Scotland had the discretion by law to give the judgment they had given, and if it was even prudent to pronounce it at the time it was pronounced (though by the way he did not think any thing like it), yet in his mind, there could be no respect for the laws of England in those who had the care of the executive government, if they put such judgment into execution. He knew not what to think of the confidence of those who chose to execute a sentence, upon the legality of which there was a doubt, upon the severity of which there possibly existed but one opinion, and all this, by way of anticipation of the decision of Parliament, for that would be the effect of putting those judgments in force, before the determination of Parliament could be had. He had too much reliance on the candour of the Right Hon. Gentleman (Mr. Dundas), to whose care the executive part of this proceeding chiefly belonged; he had too high an opinion of his good sense, his knowledge of propriety, his sense of humanity, and his love of justice, to suppose that he would place these unhappy persons in such a situation that the determination of Parliament might be of no use to them.

The Chancellor of the Exchequer pointed out the only regular and proper mode of obtaining a suspension of any sentence of a criminal court of justice, viz. by humble petition

The Lord Chancellor said, in conformity to the usual and regular mode of proceeding, it would be proper for the noble Earl to declare what was the subject of his intended motion, as without that intimation their Lordships would be particularly ordered to assemble for an indefinite purpose.

Earl Stanhope replied, that in order to comply with the learned Lord's idea, he would state, that what he had to submit to the consideration of the House, was a *Motion* on the subject of the sentence of transportation, lately passed on Messrs. Muir and Palmer, whose case he meant to bring before their Lordships; and if the learned Lord did not think this explanation sufficient, he was then ready to enter into the merits of his intended motion.

Lord Lauderdale pressed his noble Friend not to pursue this motion, as it might tend to injure the progress and effect of a proceeding already instituted with great solemnity in another House, with a view to the same object. He begged his noble Friend, at least, to postpone it, until the fate of what was now depending in another House was determined.

Earl Stanhope said, his motion would not interfere with what was going forward elsewhere. It went merely to procure the suspension of the sentence of transportation of those two Gentlemen until their case had been argued before the House, which his Lordship considered as the proper place for the discussion of all matters relating to the criminal judicature of the Kingdom.

The Lord Chancellor put the question, that the Lords be summoned for Friday, which was carried, and then their Lordships adjourned to next day.

HOUSE OF COMMONS.

TUESDAY, January 28.

The Navy, Army, Ordnance, and other estimates ordered, were laid before the House.

Mr. Grey observed that the estimates of the extraordinaries of the army were of considerable importance, and that it would be proper to have them printed, as was usually done at the latter part of the American war, for that they could not well be perused by members at the table. On the suggestion of the Secretary at War, he agreed to postpone his motion upon that subject till the next day.

The House, in a Committee, passed a resolution on the American Intercourse Bill, received the report, and gave leave to bring in a bill for continuing the law now in force, for regulating

gulating the trade between his Majesty's subjects, and the inhabitants of the United States of America.

Mr. Rose moved for an account of the money granted to his Majesty by loan on Exchequer bills for the service of the year 1793.—Ordered.

SLAVE TRADE.

Mr. Wilberforce gave notice, that on Friday the 7th of February next, he would move for leave to bring in a bill for abolishing the trade carried on from the coast of Africa to British settlements in the West Indies.

HESSIAN TROOPS.

Mr. Grey said, what he was about to mention might possibly have been deemed more regularly introduced, if he had stated it on the day that his Majesty's message was brought up; but he considered it to be a subject of the utmost importance, and therefore he conceived, the agitation of it could never be deemed irregular. What he alluded to was the introduction of foreign troops into Great Britain. He desired to call on the minister for an explanation of the landing of the Hessian troops, of which the House had an account by a recent message from the King. He knew there was a precedent, or something like one, in the year 1784, but it did not amount to the circumstances of the present case, and there ought to be some reason assigned for this step. On the close of the last war, in 1784, a body of Hessians were landed in this country, in their way from America to the continent. But then the necessity for their landing arose from the impossibility of their proceeding directly home, on account of the rivers along which they were to pass having been frozen. At present, he could not but observe, that neither the amount of the numbers of Hessians so imported, the object of their destination, nor the time it was expected during which they were to remain our guests, have been specified; points upon which he had no doubt, explanation would render universal satisfaction.

The Chancellor of the Exchequer agreed that the precedent in the year 1784 did not amount in circumstances to the present case—that being a time of profound peace, and this a time of war. If the Hon. Gentleman had any specific motion to make upon the subject, he would be so good as to give notice of it. As far as he could do so consistently with his duty, he had, however, no disinclination to explain, for the satisfaction of the House upon this subject. It was stated in his Majesty's message to the House that they were stationed, where they now are, for the purposes of convenience to the troops; what were to

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to be their military operations for the support of his Majesty's government hereafter, was not fit matter for discussion in that place. The place where they now were, was thought by his Majesty's servants, the most convenient for their rendezvous. How long they should stay there was not fit for him to state, for the reason he had already assigned. With regard to the number of them, that he could not state, for no regular account had as yet been made out, and they were not all arrived. But he must repeat, that the precedent, as alluded to, in time of profound peace, could not be fairly applied to the present case.

Mr. Fox observed, that considerable difficulty and embarrassment would be thrown in the way of the business of the House, if, when a member desired an explanation of any particular thing, he was called on to give specific notice of a specific motion; and then, when a specific motion should be made, he was to be told that such a motion was unnecessary, for that if he had only asked for an explanation, he might have had it without a motion. Such a practice was growing too much into use; it was a very improper one, neither very respectful for the dignity of the House, nor very conducive to the convenience of it. With respect to the present business, some might be of opinion that the King might bring into this country a foreign force to any amount, without the previous and express consent of Parliament, and that it was necessary only for his Majesty to send a subsequent message to that House—he owned for his part that he wanted information upon that subject. He thought, from the nature of the message the preceding day, something like a doubt was entertained of that power, and that his Majesty's ministers informed the House in consequence of that doubt. If so, the House ought to examine the subject a little more closely; for there was nothing that would justify alarm more than the extensive exercise of such a prerogative. On the former occasion a bill for the special purpose had been thought necessary; and that this was a time of war, did not in his opinion set aside the necessity of an explanation.

The Chancellor of the Exchequer said in reply, that whether the measure was right or wrong, he was not now to contend; as that point would probably be hereafter discussed. At present it was enough, if what had been done was to be found in former proceedings. Then, as now, notification of the fact had been given to the House, and an immediate vote of thanks to his Majesty for the communication had been made. With respect to the bill brought in on the former occasion, that

was merely for the purpose of billeting the men, and would not have been adopted if that measure had not been necessary. Nor would such a precedent be followed on the present, unless a similar necessity should render it expedient.

ACCOUNTS OF SALARIES.

Mr. Sheridan rose, in pursuance of a notice he gave yesterday, and in compliance with the impatience which the Chancellor of the Exchequer manifested, or seemed to manifest, to make his motion; upon which, he apprehended there could be no discussion, since from the temper of the Right Honourable Gentleman, such as it appeared when the notice was given, he could scarcely avoid agreeing to what would be moved that day. For, as it was the first duty of that House to inquire into the application of the public money, so it was the interest of every minister, supposing him to be fair in his conduct, and clear in his accounts, to countenance the inquiry; and at no time in the history of this country was inquiry, in his opinion, more necessary than at present. We had heard in the Speech of the Sovereign, information of the most important nature, information deeply interesting to the people of Great Britain. Very soon the Chancellor of the Exchequer would have to bring forward his budget: That would be an awful and a trying day; He feared it would then appear that the surplus of revenue which had been so much boasted of, and the application of it for the reduction of our debt, whatever be the merit of the plan, would all and at once be swept away, and with it would vanish that pleasing prospect of alleviating the hardships of the people by a reduction of the taxes. All that cheering hope, too, of reducing our peace establishment, as well as the reduction of our debt, and the alleviation of our burdens, which had year after year been held out to us, and which year after year we had waited for in vain, would vanish; For if peace was concluded to-morrow, a vast number of years must pass away before we could even hope to be in the same situation as at the commencement of the war. It was, therefore, the right of the people to know how their money was expended, and it was the first duty of that House to take care that the public purse was purely and properly administered, that not one sixpence should be idly squandered by the minister, nor any thing done that would diminish by one morsel, the meal of the labourer and distressed family, or that any thing should happen, that tended to wring from the poor any part of their pittance. The preceding day he had made use of the word *job* as applicable to some part of the minister's

Lord Yarmouth declared his readiness, that every thing in which he was implicated should meet the public eye fairly. In the present instance, he had to state, that he had neither demanded nor received any salary or gratuity whatever for the business he had been employed in; the only charge he had made was for the actual extra-expences he had been put to in following the King of Prussia. So that, so far from a charge, he had been a saving to the country of that money which any other person in his situation must have cost. The whole of his expences did not amount to more than a few hundred pounds. He was therefore happy at this motion, as it would serve to dissipate idle rumours, both with respect to him, and also to his brother, who, it was said, had received 500*l.* for each time he came backwards and forwards to him.

Mr. Burke approved the principle of jealousy watching over the expenditure of the public money; but that principle he thought might be carried too far, or originate in improper or illiberal motives, motives of personality or ill-will.

Mr. Fox declared it to be his opinion, that if a single guinea was spent in these missions, it was more than they were worth; as he was an utter enemy to all duplication of embassy. With respect to the conduct of the noble Lord himself, there could be no imputation of blame on him; if he were employed, he certainly had a right to remuneration for his services; it was not against the noble Lord, but against the minister that sent him, that misconduct was charged.

Mr. Burke declared he saw no difference between the *jobber* and the *jobbee*.

The motion was agreed to.

The next paper moved for was "An account of the expences attending the mission of Lord Malmesbury to the court of Berlin."

Mr. Sheridan here took the opportunity of declaring, that he himself did not believe Lord Yarmouth had accepted any salary for his services; but that he had not omitted it, because it might be objected to him, that he had left out those parts of the public conduct that merited to meet the public eye, and only held up the bad.

The Chancellor of the Exchequer observed, that the Hon. Member contradicted his former assertions. He had declared that the general ground of his motions was suspicion, and yet he now said that he did not believe there was any foundation for his motion respecting Lord Yarmouth.

Mr. Sheridan begged to know whether it might not enter into the sapient head of a minister, that he had coupled that

with

with his other motions, for the sake of contrast between good and evil.

The Chancellor of the Exchequer said, Will the Hon. Gentleman now persevere in his assertion? and if he does, can he imagine that any member in this House will credit him.*?

Mr. Sheridan rose in great heat to reply—but was prevented by *Mr. Fox*, who declared that he, for one, believed the assertion, because he knew the fact. But surely it was not too much to say that his Hon. Friend was as amply entitled to credit for his assertions as the Right Hon. Gentleman, or any member of that House. He did not agree with the Right Hon. Gentleman (*Mr. Burke*), who had asserted, that his Hon. Friend had been actuated by any motives of ill-will or personality in his present motion: There could be no ill-will in inquiring into the expenditure of the public money. He did not believe that the noble Lord had received any emolument for his embassy, yet it was his duty to inquire what were the expences of his mission. And it was necessary that his Hon. Friend should mention names, in order that he might not be accused of partiality, and that the political character of those who had not received improper emoluments, might appear brighter by being contrasted with that of those who had. *Mr. Fox* concluded by remarking, that if the conduct of the Right Hon. Gentleman had been irreproachable, he ought rather to thank his Hon. Friend for bringing it to the test.

Mr. Sheridan contended that his knowledge of the fact was apparent from the wording of that particular motion, in which he had used the term *expence*, as applied to Lord Yarmouth; whereas he had applied the term *salary* to all the other appointments. He thanked his Hon. Friend for having prevented his answering the insinuation thrown out against him in the moment of heat. All he should say at present was, if he repeated his assertion, whether any member of that House would doubt or not, he could not be certain, but he

* This expression, which possibly the *Chancellor of the Exchequer* did not himself perceive the force of, or did not mean to apply as a personal affront, was near occasioning as much disorder in the House, as the late Earl of Guildford's reply (when Premier) to Colonel Barré, after the Colonel had made rather a gross attack on the noble Lord, at a late hour, and after a warm debate, in which the irritability of a man's feelings, if he had possessed any, must have been provoked by the asperities levelled at him in the heat of contest: It was the only occasion that we recollect of Lord North's suffering himself to be put off his guard.

believed it was in that House alone that the Right Hon. Gentleman would venture to tell him so.

Mr. Yorke interrupted this altercation, by observing how hard it was for four hundred gentlemen, sent up from the country to mind the business of their constituents, to be obliged to listen to mere personal altercation, and indeed absolute nonsense, when considered in comparison with the more important business of the nation.

The motion passed.

Mr. Sheridan added one more motion :

“ That there be laid before the House an account of the expenditures of the sums of 5000*l.* and 11,000*l.* granted last sessions of Parliament to defray the expences of the India Board of Control.”

Ordered.—Adjourned.

HOUSE OF LORDS.

WEDNESDAY, *January 29.*

A message was delivered from his Majesty similar to that sent to the Commons, on the subject of the landing of the Hessian troops in the Isle of Wight.

The Earl of Lauderdale considered this as an unconstitutional measure. He asked the noble Secretary of State how long they were to remain, what was their number, and whether they were to be increased?

Lord Grenville said, he had it not in command from his Majesty to make any other communication, than that which was conveyed in the message.

The Earl of Lauderdale remained in his first opinion, and maintained that their Lordships ought to have more information on the subject.

The House, on motion, then passed a vote for an Address to thank his Majesty for his gracious communication.—Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, *January 29.*

Mr. Montgomery moved for leave to bring in a bill for the purpose of increasing the capital of the governor and company of the Bank of Scotland.—Granted, and *Mr. Montgomery* and *Mr. Dundas* ordered to prepare and bring in the same.

Several accounts of exchequer bills were presented, and ordered to lie upon the table.

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The American Intercourse bill was read a first time, and ordered to be read a second time.

The Secretary at War laid before the House an estimate of the charge of foreign troops in British pay.

SUPPLY.

The House having resolved itself into a committee of the whole House, the following resolution was read :

“ That it is the opinion of this committee, that eighty-five thousand men be granted to his Majesty for the sea-service, for the year 1794, including twelve thousand one hundred and fifteen marines,”

Mr. Fox rose not, he said, to oppose the resolution just proposed to the committee; for however they might differ in opinion on other topics, he believed it was generally agreed, that if we were to carry on the war at all, we should, under the present circumstances, carry it on with vigour, particularly the naval branch of it. It was perfectly proper to inquire in that House, into all the conduct of the war on our part; and particularly into the manner in which our naval force has been exerted. *Mr. Fox* said, he should refer to several facts as applicable to the subject then before the committee; some of which he might state very inaccurately perhaps, and if he did, he should be glad to be corrected, but many of them he feared were too true. On the motion for the Address of that House to his Majesty, very high language indeed had been used by a Right Honourable Gentleman (*Mr. Dundas*), whom he was sorry not to see in his place, in favour of the prodigious efforts of the naval service since the commencement of the present war; declaring that it had never been better exerted at any period than it had at this, most particularly with respect to convoys. The Right Honourable Gentleman had expressly stated, that of the several ships sailing under convoy, not one had been lost, and that our commerce had been wonderfully protected; many assertions, and round ones too, were made to that effect. He confessed he heard them, as he thought the House ought to hear such round assertions, with considerable jealousy and distrust. Since that time he had taken pains to inquire into particulars upon this subject, and he was sorry indeed to say, that the result of that inquiry had been very unfavourable, and that the facts he heard related, he feared, were but too well founded. The Baltic fleet came home in danger of being all taken by the enemy, and he believed that sixteen or seventeen sail of it were actually captured and carried to Norway; whether they were yet condemned or not, was another question; but this proved, as far

as an instance could prove, that the panegyric bestowed on our convoys, at the opening of the session, would, if the Right Honourable Gentleman had pleased, have admitted of an exception. The Quebec fleet sailed under the convoy of one ship only, and that, he was told, unfit for sea, or, to use a common expression upon such a subject, *not sea-worthy*: This ship, he understood, was called the *Severn*; it was true indeed there was another, a frigate, sent to wait for this fleet at the island of Bic, in the Gulph of St. Lawrence; but no intimation whatever had been given to the merchants concerning that order, so that the vessel might as well have remained at home. What happened to the *Severn*? she was separated from her convoy, as her commander had stated, in a gale of wind, and came home: And it was true that part of the fleet which was destined for Great Britain came home also, there happening at that time, by mere chance, to be nothing to oppose; still the risk was great, and entirely unwarrantable. With regard to the part destined for Spain and Portugal, he could say nothing; but it was very possible, that some or all of them might be taken, as no account whatever of their safety had yet arrived, to quiet the anxiety of the merchants on their account; He knew that it would be argued, that there was no possibility of preventing accidents of that kind; but he would leave it to the consideration of that House, if one single crazy vessel was a sufficient convoy for the Quebec fleet, bound as it was for such different ports of Europe? In these two cases the trade of the country had been injured, or put in imminent danger for want of sufficient protection. He next called the attention of the House to instances of the delay of convoys, to the great prejudice of the merchants and the nation at large. Was or was not this a fact: That a whole fleet was ready to set sail from the West Indies, on the 15th of May, or thereabouts, but did not, and could not for the want of convoy, till the 23d of August, or thereabouts? Here was a whole fleet freighted with most valuable merchandizes from the West Indies, delayed and kept in harbour for three months, for want of convoy: The loss upon such a delay must be very great, and the danger to which they must be exposed great also; since by coming from the West Indies in the month of August, they had to encounter great storms and other perils of the sea, incident to a voyage at that season, from that part of the globe. It was true they arrived, but it was with great difficulty; and the conduct which had been so much extolled with respect to convoy, was not so very meritorious as had been stated to the public by the Right Hon. Gentleman. Mr. Fox said, he stated this upon inform-

information; but he had no difficulty in declaring, he believed it to be true. He would mention another fact, which was perhaps not quite so certain: The delay of the Mediterranean fleet, for want of convoy, had prevented some merchandize, intended for the fair of Salerno and other fairs in Italy, from arriving in time; in consequence of which there was a litigation now between the English and Italian merchants, about receiving the goods: What the result would be, it was impossible to tell; but the litigation would of course be expensive, and attended with disagreeable circumstances. He stated these facts to the House, in order that they might reflect a little upon the subject, and consider how lightly the matter had been treated on the opening of the session; and that they might pause a little and examine facts before they gave implicit credit to every general and round assertion: For it had been generally and roundly stated, by the Secretary of State, that none of the ships had been taken—there had been no delay for want of convoy; whereas there had been delay, and that not the delay of a single ship, but of a whole fleet. What excuse ministers could make for such endeavours to mislead the public, he could not tell; they could not plead ignorance of these things surely, when they were boasting of the protection which our convoys had given to our commerce in all parts of the globe. Another thing not very flattering to the pride of Englishmen, was the fact, that at the moment when the Right Hon. Gentleman was boasting of the vigilance and activity of administration in respect to convoys, six French frigates were masters of the Channel, and had been so for a considerable time; and had taken, as he had been informed, sixteen sail of very valuable prizes. He expressed some apprehension of the fate of the victualling fleet from Ireland; and said, there was a rumour of its being taken and carried into a port of the enemy. Besides this, a fleet destined for the West Indies had been detained for a considerable time, on account of a rumour that there was a French fleet out, too powerful for us to attack at that time, in that quarter. Such facts as these were sufficient, in his mind, to create some degree of doubt and jealousy, and to prevent the House from giving an implicit confidence to pompous declarations or bold assertions. He thought it right to state these things to the House, as grounds of the reason he had for his jealousy and distrust of the information which the House received of the minister on the opening of the session. The service of the navy we were told, on the whole conduct of it, had never been better performed than it had since the commencement of the war. But suppose the whole of the Right Hon. Gentleman's

assertion to have been unquestionably true; suppose the service had been as well performed in this war as it ever was—Would that be sufficient? Would the House be satisfied with that? Was it matter for praise, and a thing to be wondered at, that Great Britain, in the plenitude of its power, and with so much courage (for courage in a public contest was a part of power) should be equal in her navy to what she had manifested on many occasions? Was it a wonderful thing that after having bought, or obtained, or any thing else, a part of the French, and deprived them of the use of great part of their navy, we should afterwards be able to protect ourselves at sea? What a miserable compliment to Great Britain! that with Spain and Holland in alliance, she can protect herself by sea against France alone, and in that state do just as much as she did in the year 1781, when she contended alone with France, Spain, and Holland united! He had made some inquiry, as he had already told the committee, and he should make still more into this business; and he had some doubt whether it would not turn out, that in point of fact there were not more taken of our ships in the year 1781, when we contended with all those powers, than have been taken from us since the commencement of the present war. He thought it necessary on the present occasion to make these observations; not that he thought them arguments that went immediately to the question before the committee, but that they might possibly lay the foundation for a future investigation of the subject. He had stated facts, many of which he knew, and all of which he believed to be true, but he desired not to be understood to pledge himself for the truth of the whole of what he had stated, because, as must be obvious to the committee, some of his information might possibly be defective or erroneous. The public ought to be rightly informed upon the subject, and not to be put in a state of dismay and confusion hereafter, at finding they had been unhappily deceived by the speech of the Right Hon. Gentleman—a speech which in some parts of it he must say he did not think consistent with the belief of any well-informed man in the kingdom,

The Chancellor of the Exchequer allowed the matter brought forward by the Right Hon. Gentleman to be very fit for discussion. Upon some particular points which had been stated, he could not speak with the precision he could wish, because it did not fall immediately under what had much occupied his attention: These he should leave to the superior information of his Right Hon. Friend, whose absence was occasioned by sudden indisposition. What he should state must arise only from general recollection, There were two
leading

leading points in the speech of his Right Hon. Friend, on the motion for the Address to his Majesty, viz. That no ships that had sailed with convoy had been captured; and that there were not any materially delayed for want of convoy. He had reason to believe his Right Hon. Friend did not make that assertion without much inquiry into facts, or without having reason to be believed in the truth of it; and he would further say, he had not heard any thing yet to contradict that statement. He himself would also make inquiry, and he should be ready to discuss the subject, and to see whether there was any matter for blame on any person. But that was another question—Whether any material neglect had been manifest, and whether any ships had been really taken in consequence of insufficient convoy, were the questions now for inquiry; not whether any ship or ships had been taken at any time or place, since the commencement of the war: That would be too extravagant a proposition to be debated, for we could not cover the seas with our fleets, nor be secure against the inclemency of the seasons, such as contrary winds and tempests. All these observations he applied to the Baltic fleet, but did not state whether any had been lost. He next took notice of what had been said respecting the Quebec fleet: It was admitted that it was not taken, nor any part of it, and therefore, so far, there was no instance of contradiction in what had fallen from his Right Hon. Friend. Whether the ship under whose convoy they came, was equal to the undertaking, he could not tell, but he should be inclined to believe it was, until something stronger than bare assertion was advanced to the contrary. If any of the Quebec fleet destined for foreign ports were taken, it must have been after they separated from their convoy; and they were very few. With regard to the fleet that was said to be waiting for its convoy, he did not recollect exactly any thing as to the date. He could not pledge himself to prove that no ships, literally speaking, had at all waited for a convoy, for he did not know enough upon that subject to speak with certainty what might have occurred. But he must observe, that nothing was easier than to state dates when some ships were ready to sail, when they did sail, and when the convoy was ready; but that was not enough, or any thing like it, to enable any man to conclude whether or not there was any negligence in providing the convoy; that would depend upon the request of merchants when they might be ready, when agree to sail—whether the winds were fair, and a thousand other circumstances, none of which appeared in the present case. With regard to the fleet for the Mediterranean, he recollected perfectly that the delay arose

on account of the necessity there was to make inquiry into the force of the enemy, and these were the principal points that had been mentioned by the Right Hon. Gentleman. With regard to the circumstance of there having been six French frigates six days in possession of the channel, he would not disguise the truth, but it was easily to be accounted for; but he had no hesitation in saying, that, the whole of the circumstances taken together, our success was beyond the most sanguine expectations, and beyond that of any other war. We could not undertake to make all our efforts uniformly successful, and be sure there never should be any part where the enemy might not for a time be our superior; and supposing the fact to be so, upon whom was blame to attach for it? When intelligence arrived that the French were in the channel, our fleet had returned to refit, after having been long at sea without seeing the enemy. And it was to be recollected, that the French, from the very nature of their situation, having abandoned all their foreign possessions, while we were protecting ours, could concentrate their force to any particular object, and change it when they pleased, and therefore this temporary superiority was not at all to be wondered at. We had at this time a greater force than the enemy, although they had the start of us so much at the commencement of the war. It was well known, that before we armed at all, the French had sixteen sail of the line in the Mediterranean; that since that time we had protected and safely brought home all our valuable East India fleet, and protected our West India trade, and with all the multiplicity of objects before us—with all our trade and territories to protect—with all the vicissitudes of seasons in a variety of climates—with all our exertions in the Mediterranean, where we had sent a large fleet, the efforts of which gave such general satisfaction—yet with all this we had fifty sail of the line. Considering all these things, this country had, in his opinion, great reason to triumph in the success of its maritime power, especially when we recollect the decisive blow we had given to the maritime power of France at Toulon, and that we had been able to block up the whole of the Mediterranean until that was effected. We had been out for a great length of time, and ready for action against their whole naval force. Did the enemy ever meet us?—Never. After being out for a long while, and looking for the enemy in vain, it became necessary to return, and then the enemy were able to collect their force, and concentrate it into one point, and have a temporary superiority. If the enemy would not engage with us, and we could not meet with them, the fault was not ours. As to the want of information,

formation, and the idea that from the publicity of some of the proceedings of France, it was easy to obtain knowledge of what they intended to do, that appeared to him to be founded on a very superficial mode of thinking. It was not that because they affected all the openness and candour of a democracy, that in fact they were one. The fact was directly the reverse; by the present system of government in France, there was as much capacity for secrecy, and they had as much power over every article of property, and over the actions and person of every individual, as ever was possessed, and more than ever was possessed by the most despotic monarch upon earth; and therefore he was not very uneasy under the charge of want of information as to the intentions of the French. But as it was probable that this subject will be discussed again, he need not say any thing further upon it till that time.

Admiral Gardner defended the conduct of the Board of Admiralty. He gave an account of various convoys that had been sent out, and had safely conducted fleets laden with merchandize of great value. At the same time he stated the impossibility of preventing the French, so long as they were in the possession of Cherbourg, from making descents upon our coast, though the whole channel was covered with cruizers; for they could get under way in the night, and return by the next morning. The Admiral read a letter from the Master of Lloyd's Coffee-house to Mr. Stevens of the Admiralty, stating, that almost all the victualling fleet were safe arrived, either in the river, or some of the western ports, one only having been taken by the enemy.

Mr. Fox having expressed great satisfaction on hearing that none of the victualling ships were taken, took notice of all that had been said by the Chancellor of the Exchequer, whose answers he declared had been evasive and unsatisfactory. *Mr. Fox* maintained the principal points which he had insisted on before; namely, that sixteen sail of the Baltic fleet had actually been taken. It was true, he said, they were separated from their convoy, that was the very thing he complained of, for the convoy separated from the whole fleet, and the whole had nearly been captured, but sixteen of them were actually taken; to say therefore they were not under convoy when they were taken, was an unworthy quibble, since the very reason of the complaint was their not having been properly convoyed. The observation made by the Right Hon. Gentleman on the government of France, did not tend to describe it as a government of anarchy, since the Right Hon. Gentleman had admitted that it possessed great power, great
secrecy,

secrecy, and all the properties of absolute despotism. He most certainly did not himself think it a government of anarchy; he stated it to be a furious and a rigid tyranny, the most complete despotism that ever existed. Much, Mr. Fox observed, had been said of our great success since the commencement of the war; the Right Hon. Gentleman ascribed every thing to our prodigious efforts; he had denied that we commenced the war with advantage, inasmuch as the French had commenced their preparations so early as October 1792; but he should recollect, that it was one of Brissot's charges against the Minister of Marine, that the promised preparation was not effected. When the present war was entered upon, we had as allies, not only Spain and Holland, but almost every Power in Europe against France singly; and the Right Hon. Gentleman boasts of the superiority of the English fleet over that of France, when in the late war this country maintained her naval superiority, not only over France singly, but united with Spain, Holland, and America. When this superiority of our fleet, and our naval exertions, were spoken so much of, the Right Hon. Gentleman quite forgot the naval exertions of our allies Spain and Holland; but he supposed we should hear of them on a future day, when there should be a proposal for paying for them. If ever there was a period when we had a right to expect complete protection to our commerce—if ever there was a period when we had a right to expect superiority at sea—if ever there was a period in which that ought to be manifested to the world—if ever there was a period in which we ought to benefit by our superiority at sea—the present was that very period. Let us then cease to boast of our protection to commerce, but endeavour to extend it. What answer had been given to his assertion concerning the six French frigates being masters of the channel? Should there not have been in all the provident management of our naval power some arrangement that would have prevented this? But it was impossible to have any intelligence of what the French intended to do: True; but we could have intelligence of what they or any other people at war with us were likely to do; which was that of cruising in the channel if there was no force to oppose them. But our navy was superior to that of the enemy now, so that nothing need be dreaded in that respect. "Why, yes," said Mr. Fox, "the superiority of our navy is unquestionable, and no man rejoices in that circumstance more than I do. But it would be strange indeed, if it were otherwise. It would be still more strange if this country, with Spain and Holland, united against France, singly and distracted, we could not maintain

maintain a superiority in our navy. That we shall be inferior to the French in our navy can never happen. No mismanagement, no incapacity, no inattention, no imbecility in any administration, be it ever so weak or ever so inattentive to its duty, can ever give the French a superiority over us at sea." He still maintained, however, that none of his objections had been fully answered, and that it had not been proved that any thing he had stated was unfounded or untrue.

The Chancellor of the Exchequer said, the Right Hon. Gentleman had gone too far when he mentioned any treaty between the naval powers alluded to: No naval power had been subsidized by us; and the aid of our naval allies had not been of such a nature as to disengage any part of our own naval force. The attention of Holland had been necessarily directed to her own continental defence, and consequently too much to its army, to leave any room for exertion by sea; we had, therefore, the trade of Holland to protect, in addition to our own. The naval exertions made by Spain had, indeed, been great and honourable, especially at Toulon, but that could not enable us to concentrate our force at home. If we had not sent into the Mediterranean a fleet superior to the French fleet, the important advantages arising from the surrender of Toulon would not have been obtained; for the Spanish fleet, although fitted out with great dispatch, was obliged by sickness to go into port; and it was only by Lord Hood's being able to block up the French fleet in Toulon, and prevent any supplies of provisions from arriving, that the place was compelled to surrender. The general conduct of the campaign, he would leave to the impartial judgment of the House and of the country; but if brought forward as matter to be examined on any future occasion, he trusted, he should be able to prove, that, far from affording any ground for inquiry or censure, it had furnished much ground of surprise and congratulation.

Mr. Sheridan disavowed any intention of going into any argument upon the resolution before the Committee; he rose merely to make a few observations, and he would do it as shortly as possible. He thought the Right Hon. Gentleman had forgotten some of his own treaties, else he must have recollected, that the Neapolitan ships of war were to be paid by us for carrying Neapolitan troops to Toulon. Whether or not it was fit to keep so great a fleet in the Mediterranean, after Lord Hood was in possession of Toulon, would be fit matter of discussion when the business of Toulon came to be inquired into. That event of the war, which was one of the most important features of the naval campaign, must come under

under discussion; and although he did not mean to prejudge the case, he could not help saying, that the capture of Toulon would be the greatest curse upon the country that it had ever experienced; for he did not doubt that it would stimulate the French to a regeneration of their navy, and that we should next year have reason to lament our success in this instance. The Right Hon. Gentleman spoke of the naval exertions of Spain as in fact of no use; and, contrary to all the former declarations of ministers, affirmed, that the surrender of Toulon was not obtained by the loyalty of the inhabitants, but by force and famine. A Right Hon. Gentleman (Mr. Dundas) whom he was sorry not to see in his place, had contradicted the statement of a noble Lord (Lord Wycombe) of the defenceless situation in which Halifax had been left, and said, that there were 4,000 men to defend it. A letter from a person in whom he could confide, dated Halifax, Dec. 7th, stated the distressed situation of the inhabitants, who were in the utmost alarm from want of a proper naval force to protect their trade, that every ship which had sailed from thence, for some time past, had fallen into the hands of the enemy: That the Ambuscade French frigate had been permitted to scour the coast, and had fitted out, as armed vessels, several of her prizes to cruise against the trade: That Admiral Soufflet, with three ships of the line, had been on that coast; that it had been his intention to take St. Peter's and Cape Breton, and winter at Louisbourg, and pay them a visit in the spring, and that then he could meet no resistance. Mr. Sheridan read the letter, which said, that there was only one frigate at Halifax, two companies of artillery, two of infantry, and three hundred volunteers unfit for any service.

The Chancellor of the Exchequer said, he did not recollect that his Right Hon. Friend had said any thing more than that there was a sufficient force at Halifax to repel an attack at the time an attack was supposed to be threatened. Part of that force had been afterwards sent to the West Indies; but by the exertions of the Governor, and the loyalty of the inhabitants, it was soon replaced: And that the information received from the Governor differed materially from that stated by the Hon. Gentleman's correspondent.

Admiral Gardner said, one frigate was sufficient for Halifax during the winter, when the harbour was frozen up, and an enemy could not approach.

Mr. Sheridan said, the exertions of the Governor, and the loyalty of the inhabitants, had produced the 300 unserviceable recruits mentioned in his letter. The plan of the enemy was
not

not to attack it in the winter, but in the spring, before any additional force could be sent to it.

Lord Wycombe said, he should have answered the assertion of the Right Hon. Secretary (Dundas) on the first day of the session, when it was made, if the rules of the House had permitted. If no addition had been made to the means of defence which Halifax possessed before the war, the naval stores there were open to the depredations of a very small force.

Mr. Minchin took notice of that part of Mr. Fox's speech which related to the captain of the Severn, the ship appointed to convoy the Quebec fleet. He said, he was well acquainted with the circumstances of the return of that fleet, because a relation of his, against whom he was sorry to hear any thing insinuated, though not said, commanded the convoy. The voyage to Quebec was the first voyage of the Severn; she had been separated from the merchantmen by a gale of wind of several days continuance, such as no one of the officers on board had ever experienced; and returned to port so much damaged, that she was not fit for sea again till two months afterwards.

Mr. Fox said, the Hon. Gentleman totally misconceived, and consequently misrepresented his words, in saying that he had thrown out any insinuation to the prejudice of the officer who commanded the ship appointed to convoy the Quebec fleet. The time required to repair the damages of the ship tended only to prove what he had stated, viz. that she was insufficient.

The Lord Mayor confirmed what had been said by the Chancellor of the Exchequer as to successful protection afforded the different fleets of merchantmen by a variety of convoys.

Mr. Alderman Anderson said, the merchants trading to the Baltic were all highly satisfied with the protection afforded to the trade, and the punctuality of convoys; if any merchantmen had been taken, that was not the fault of the convoy, but of the captains of the merchantmen, who would not wait till the convoy thought proper to sail.

Sir M. White Ridley reminded the House that he was not only a Member of Parliament as representative for Newcastle, but was concerned in its trade and commerce; therefore he deemed it his duty on the part of his constituents to declare, that the trade of that place had been better protected since the commencement of the present hostilities than it had been in any former war. This, in point of justice, he felt himself bound to ascribe to the vigour and exertions of the executive government.

Mr. Brandling also said, the people of Newcastle had never found such protection afforded to trade in any former war.

selves not to make peace without restoring to him the territories he had lost.

For the sake of argument, Mr. Fox said, he would admit that the restoration of Savoy to the King of Sardinia was necessary to the balance of Europe, and that no peace ought to be made with France but upon that condition. Why, even in that case, fetter ourselves with an engagement which we could not possibly know that we should be able to fulfil? When the time of treating for peace came, with how much more advantage, and how much more honour to ourselves, should we not have been enabled to treat, without the clog of this convention upon us? Then might the minister have said with an air of dignity, "The King of Sardinia is not to be oppressed because he is weak. In all the transactions of nations, justice is to be regarded as well as power. The restoration of Savoy is demanded by justice, and essential to the future tranquillity of Europe. We shall listen to no propositions for peace of which this is not a preliminary."—With how much more advantage and honour might we thus have stipulated for the restoration of Savoy, if this miserable treaty had never been made? We should then have stood forward as the protectors of the weak, and the defenders of the balance of power. Now, we had not given, but sold our assistance to the King of Sardinia—and sold it for what? For nothing. Ministers having done this, and the House having sanctioned it, they were next to call upon the people of England to pay a subsidy of 200,000*l*. He knew, Mr. Fox said, that in every war to be carried on by a confederacy, the weaker powers whom we engaged in that confederacy must be paid by us: But we were not certainly to pay them all; nor those whom we did, for defending themselves? Did we suppose, on the present occasion, that the King of Sardinia had no inclination to defend his own dominions? If we did, our money should have been asked for as a grant, not as a stipulation, which was to involve us in difficulties of a thousand times more consequence than the value of our money. We could not, however, suppose that the King of Sardinia was not inclined to defend himself, without our paying for it. Our treaty, therefore, was not a purchase, for we did not buy the King of Sardinia's inclination; nor was it a gift, for we, the givers, came under an obligation to the party to whom we gave. It might be said, that the treaty bound the King of Sardinia to continue the war as long as we might think fit, even after he himself might wish to conclude it. If this was what we had gained by the treaty, would not the neutrality of the King of Sardinia

tion of his assertions.] From the precedent read from the Journals, Earl Stanhope proceeded to observe, that the bill for reversing the attainder against Alderman Cornish originated in that House, passed in the course of four days, and was sent down to the Commons for their concurrence. The attainder against Algernon Sydney and William Ruffel, Esq. commonly called Lord Ruffel, were also repealed by a similar process, in consequence of the recommendation of his Majesty to the House to take the same into its consideration. These were the grounds on which he would bring forward his motion with respect to Mr. Muir, the proceedings against whom he pronounced to be of the most extraordinary, and, in his mind, the most unjustifiable nature that ever came before a court of justice. In this unexampled trial, their Lordships must be surprised to hear, that the Lord Advocate was suffered to bring forward every collateral fact and circumstance which he thought necessary to criminate the pannel, or, agreeably to the phraseology of the English courts, the defendant; and though the most prominent of these collateral facts brought against the pannel on *his trial* were not charged in the indictment, still the pannel, who, according to law and justice, ought to have been allowed to have availed himself of the circumstance, was not admitted to do so, the Lord Advocate declaring, that if all the facts necessary to support the charge were there inserted, the indictment would cover the walls of the court. What, he asked, would their Lordships say to the Managers of the impeachment, if they had omitted several of their most important charges against Mr. Hastings in the articles, and afterwards attempted to prove him guilty of such charges? Surely their Lordships would not suffer them to profit by their own negligence, because, forsooth, they might have apologised for their remissness, by saying, that the introduction of such charges in the articles of the impeachment would have occasioned them to extend to such a length, that they would have covered the walls of Westminster Hall.

Nothing in his mind, the Earl said, could be more absurd, or derogatory to the principles of law, or of common sense. But the principle, when attempted to be established on the impeachment, was four several times repelled by their Lordships in the case of Warren Hastings, in the instances that he would mention. Mr. Hastings was charged by one of the Managers with having acted criminally in having received six lacks of rupees from Kelloram. The production of this evidence was objected to by Mr. Law, the counsel for the prisoner, because the fact was not charged in the impeachment; whereupon their Lordships adjourned to their Chamber of Parliament, and after debate resolved that such evidence was inadmissible for

the reason assigned. On the 29th of April 1790, the Managers interrogated a witness, whether or not more oppression did not exist under the new institutions established by Mr. Hastings, than under the old forms that prevailed before his arrival in India? The question was also objected to by the counsel for Mr. Hastings, because the charge was not contained in the impeachment, though he admitted that the word "oppression" was inserted in the articles. Mr. Plover contended, that the Managers could not come forward with any charge founded on general words, without such charge was stated in full and precise terms in the impeachment. Mr. Burke replied, by declaring, "that he did not contend that any such proceeding should be tolerated," but still he insisted, "that the Managers for the House of Commons were not bound by the rules or forms of precedent in ordinary cases, and that such privilege was their *Magna Charta*, and therefore they were justified in such proceedings;" but when their Lordships met in their Chamber of Parliament, they wisely and properly adhered to the strict principle of the law of evidence, and resolved, that the Managers were not competent to call witnesses to any fact not specifically charged in the articles of impeachment. His Lordship next called the attention of the House to its further proceedings on the impeachment, when the Managers attempted to implicate Mr. Hastings in the enormities of Deby Sing. Another effort to produce questionable evidence against Mr. Hastings was made in May 1790, on a circumstance not charged in the impeachment; all of which would appear to have been resisted by their Lordships in their Journals, on the same grounds that they had objected, in the first instance, to hear witnesses against the prisoner. His Lordship read a statement of what passed in Westminster Hall, in each of the instances he had referred to, from his own notes taken during the trial, and mentioned the particular pages of the printed evidence, where they would be found, together with the resolutions of the House on each occasion delivered in Westminster Hall by the Lord Chancellor, by their Lordships' directions. This was not only law, the Earl said, but was a maxim founded in the eternal principles of justice. And if the admission of evidence, to prove facts, could not be suffered in the case of Mr. Hastings, who was to have months, and even years to prepare his defence, how much more forcibly did it apply to Mr. Muir, who was to answer on the moment? But this was contrary to the extraordinary doctrines maintained by the Lord Advocate, and countenanced by the Court of Justiciary in Scotland. The law of Scotland, his Lordship said, allowed a defendant fifteen days notice, and a copy of his indictment, that he might produce

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tendant on the exertions made, it was fair to say, that if the subsidy paid to the King of Sardinia should appear more to further the attainment of that success, than if the same sum were laid out in any other way, that subsidy would in fact be an act of economy. He admitted that supplies for carrying on a war must press hard on the peasantry; but, while he lamented the truth of the argument, he must observe that it was as applicable to every other war as to this. The true question to be considered was, shall we make every exertion of our own, and draw all possible assistance from every other power we can bring on the head of France, in a war the most important of any in which we ever were engaged? If, when 85,000 seamen were voted the other day, 5000 more had been asked for, would any man have objected to the addition? Certainly not. Yet a 200,000l. subsidy to the King of Sardinia, did not exceed the expence of 5000 additional seamen, and the assistance obtained by it was more effectual. With respect to the stipulation that peace should not be concluded, without the restoration of all the territories of the contracting parties, it was the practice in every such treaty. If we were not bound by treaty, we should be bound by policy, to prevent France from multiplying her ports in the Mediterranean, by keeping possession of Ville Franche and Nice. Besides, we were already bound by the treaty with Naples to maintain a naval force in that quarter. If we should bring France to negotiate for peace with a government, considering itself under obligations to the combined powers; or if we should compel the present anarchy of France to sue for peace, would not Nice and Savoy in either case be restored? If unfortunately we should be obliged to treat on other terms than security for the balance of power, all security for our own tranquillity must vanish (a circumstance which he deprecated); but under such circumstances the King of Sardinia would neither be able or willing to carry on the war, nor was it at all likely that he would desire the continuance of it on our part. Whether, therefore, we were successful or unsuccessful, our stipulations to the King of Sardinia could not militate against our interests; and until Gentlemen should think proper to prefer a delusive repose to a prospect of security by vigorous exertion, he trusted the treaty would be agreed to.

Mr. Grey said, he rose rather to obviate a misconception of what had fallen from his Right Hon. Friend, on which Gentlemen on the other side frequently chose to debate, than with any hope of enforcing the arguments already advanced against the treaty by additional reasoning upon the subject. Neither his Right Hon. Friend, nor those who acted with him, had offered any opposition to giving energy to prosecute the war, if

sit were to be prosecuted; they did ~~not~~ therefore wish to be considered as "useless opposers"—a light in which the Hon. Gentleman who spoke last but one, had thought proper to hold them up. The question then to be debated was, "Was this a treaty calculated to give energy to the war?" He denied that his Right Hon. Friend had used the epithet, "unprecedented;" but if his Right Hon. Friend had used that epithet, he must, Mr. Grey said, hear many more circumstances, than had yet been stated, before he could think that it did not apply, as well as the epithets *absurd* and *iniquitous*. To prove any resemblance in point of precedent between this and former treaties, it must be proved that they were concluded under circumstances nearly similar. All the arguments of Gentlemen on the other side had proceeded on the presumption that they were so. At the time of concluding one of the treaties referred to (1703), instead of finding the King of Sardinia actually engaged in a war with France, and part of his territories taken from him, we found him the ally of France, and gave him the terms stipulated in that treaty to withdraw him from France. The terms stipulated, therefore, might properly be considered as the price of breaking his alliance with France, and taking part with us. In default of other argument, the favourite topic was resorted to, which, as had been justly said, made men's passions instruct their reason; and the House was told that the anarchy of France was more dangerous than the ambition of Louis XIV. What was the nature of our contest with that monarch? A contest for our constitution and our liberty; for the political existence and the independence of every state in Europe. What more could our contest be now? At the time of concluding the treaty of Worms, the King of Sardinia was engaged in war, and had lost part of his dominions. To that treaty, however, the Queen of Hungary, our ally, was a party. Did it appear that our present allies were parties to the present treaty? If the precedent were as apt as Gentlemen could desire, did it follow, that a bad treaty concluded then, would justify concluding a bad treaty now? One difference between the two treaties was striking; in the former, there were three contracting powers; in the present, two only; Admitting, then, that, for the preservation of the balance of power, it were necessary to preserve Sardinia entire, we should apply, not to Sardinia, but to other powers. Had we so done in the present instance, there had been a greater similarity between the two treaties. He admitted that Savoy ought to be recovered for the King of Sardinia. But this ought to be made a general object of the confederacy against France, as was done by the treaty of Worms. The other

combined powers might have concurred with us in this object; but this did not appear by any information of which the House was in possession, and until he was assured of it he must consider the present treaty as iniquitous and absurd. Was it necessary to give all that was given by the treaty to the King of Sardinia, to induce him to join the grand alliance? If it was necessary, he should still complain that in giving it we bound ourselves down to terms injurious to our own interests. It certainly was something singular, that those ministers who saw Savoy taken from the King of Sardinia, and who, after it was taken, boasted of their neutrality, and had been ready to treat with the French after its conquest, without mentioning it (as was evident from the correspondence between Lord Grenville and Monsieur Chauvelin), now come forward, and talk of its importance, after they have prevailed on the King of Sardinia to accept of a subsidy, coupled with a stipulation that it should be recovered, and demand the assent of the House to their treaty. It had been deemed common-place, Mr. Grey said, to speak of the expence; but he for one, although he did not grudge the 200,000*l.* a year, would not agree to take a shilling out of the pockets of his constituents, already burdened more than at any former period, to make good a treaty concluded without a due regard to the benefits they were to receive in return for the stipulations they had entered into.

Mr. Canning * rose, for the first time, to deliver his sentiments in that House. He began with observing, that if the question were to be argued on the mere narrow ground of taking the treaty into consideration abstractedly, and discussing it upon its abstract merits, he should certainly have left it in other and abler hands; but the treaty having a much more extensive reference, and being to be considered, not as a mere mercantile transaction, in which the exact proportion of profit and loss of what was to be given, and what gained, were to be minutely balanced; he trusted he should be excused for presuming to offer himself to the attention of the House. Looking at the treaty itself, there were but two possible objections could be made to it; the one was, that under all existing circumstances it ought not to be made at all, and therefore could not possibly be right; the other, that on com-

* *Mr. Canning* was educated at Eton, at the same time as the Hon. J. B. Jenkinson, with whom he has always lived in habits of the greatest intimacy; and it is said, he has been brought into Parliament through Mr. Jenkinson's interest. Mr. Canning is the young gentleman on whose promising talents and abilities Mr. Sheridan passed so warm and elegant an eulogium two sessions since, in the course of the debate in which Mr. Jenkinson impressed the House of Commons so forcibly by the eloquence and knowledge displayed in his first speech in Parliament.

paring it with similar treaties that preceded it, it must be deemed bad, inasmuch as it proposed a greater price for similar advantages, or accepted of a less return for a similar reward. Upon the first of these grounds, he had not heard any Gentleman attempt to rely, and therefore it was wholly unnecessary for him to offer any argument in its support. With respect to the second objection, he had been at some pains in comparing the present with preceding treaties, and he was free to confess he was unable to discover those defects so strongly insisted on. He was ready to admit, that the treaty of Worms was not exactly similar in principle; but there was one treaty as yet untouched upon, which, he conceived, would in the most complete manner meet every principle upon which the present was founded. He alluded to the treaty of 1758, concluded between this country and the then King of Prussia; who, in the midst of a war, in which he was involved, was actually subsidized by us to the amount of 670,000*l.* per annum, and the grounds upon which this subsidy was expressly stated to be granted, were these three: That he was oppressed by enemies, who had attacked him on all sides; that he was in appearance unable to resist them; and that his overthrow would be destructive to the balance of power in Europe: Here then was a precedent, establishing both the principle and fact upon which the present treaty was founded; a precedent which, it must be remembered, was carried not only without opposition, but with triumph, through that House, and received the united suffrage of the whole nation. The question then was concerning the balance of power, and how far it was connected with the necessity of granting that subsidy. He would ask whether this question was more likely to avail in taking the money out of the pockets of our ignorant peasantry, than that which concerned their dearest interests, and on which depended their very existence? Could it have been stated to them, that the balance of power depended on their putting their hands in their pockets to assist a man comparatively as poor as themselves; or was it likely that they should understand the subject better, than when told, that in subsidizing the King of Sardinia, they were contributing to their immediate preservation? It having been admitted, on all hands, that the King of Sardinia was too poor, and too impotent, to carry on the war alone; the question was, whether we should support him, or whether inasmuch as it was supposed the Earl of Yarmouth had negotiated best because he had cost us nothing, so we were to suppose the King of Sardinia would fight the better because he was left unpaid? He did not mean any personal disrespect to the Right Hon. Gentleman to whom he alluded; but, according to his argu-

ment,

apprehended, that if we did not proceed with the utmost vigour, we might expect an invasion of our island.

The Alderman said, he had heard doubts entertained of the legality and propriety of the manner in which the Hessian troops had been landed in this country: He thought it a matter highly necessary, and therefore laudable. So far was he from feeling any uneasiness on this occasion, that he rejoiced at it; and he hoped that more of them, or other foreign troops, would come here, for they might all be wanted for the protection of England against an invasion. He did not call upon the minister to explain the reason why these Hessian troops were landed here: No doubt he had a good reason for it; and possibly that might be an apprehension of invasion. He hoped they should all join and concur in opinion on the propriety of doing every thing in public and in private to support the war, to the utmost of the power of every man in the country. The present war was certainly distinct and different from every other war we had ever been engaged in; it was a war for the protection of all civil society: The Alderman declared, therefore that he should vote for the minister, in order to support it; and he trusted it would be conducted wisely, till it should be brought to a happy and honourable termination.

The question for referring the treaty between his Majesty and the King of Sardinia to a Committee of Supply, was put and carried: As was also a loan, to be raised by Exchequer bills.

The House then immediately resolved itself into a committee of the whole House, to consider of a supply to be granted to his Majesty; and the resolution for allowing his Majesty the sum of two hundred thousand pounds, to enable his Majesty to make good his engagement with the King of Sardinia, passed immediately.

Mr. Yorke put a short question to the minister, and the substance of the answer given by the Chancellor of the Exchequer was, That in the course of a long and laborious campaign, the force of the King of Sardinia had been considerably diminished, but his Sardinian Majesty had most unquestionably made very considerable exertions on his part for the common cause.

The Chancellor of the Exchequer then moved two resolutions, to allow his Majesty four millions five hundred thousand pounds for the present year, by loan on Exchequer bills; which were put and carried.

The report was ordered to be received.

CONFISCATION OF THE PROPERTY OF FOREIGNERS IN FRANCE.

The House being resumed,

The Chancellor of the Exchequer desired their most serious attention. He said,

That a circumstance had come that day to his knowledge, from authority on which he had reason to rely, which from its very singular nature he thought it his duty at that moment to submit to the consideration of the House, because it was of so urgent a kind as to require immediate attention. He had received intelligence which he might consider as authentic, that the French Convention had verified in point of fact, what some time ago existed in this country as a rumour, not wholly credited at that time, but what was agreeable to the general system of French finance, and had actually passed a decree, That all persons without distinction, having any property in France, being foreigners, and all persons in France having property in foreign funds, shall give an account of it within a certain time, which, according to the fashionable jargon of that country, was to be *put in a state of requisition*. The whole property of every individual, from every country, holding any property in foreign funds, was to be taken into their hands immediately, and the proprietors were to be compelled to take in lieu of it their assignats in payment at par. And all the bankers and monied men are bound, within a day, to give in an account of the property in their hands, and also to declare the names and descriptions of all other persons who, to their knowledge, have, or are entitled to, any such property within a certain time, to be disposed of in the same way. Having heard this, he considered it as matter of great importance, and therefore he stated it in this manner now. Gentlemen would feel the nature of the subject to be pressing, and would therefore turn it in their minds. He could not state it precisely enough for the House to rely on the whole of it, and he could not now say more than that he felt it his duty to give this general information. The novelty and the delicacy of the subject were obvious to him, and he was sure, to them all. If upon consideration of the subject it should appear necessary for the House to take any measure with reference to this, it must be important in every point of view to do it without delay. But whatever steps were adopted, they might lose their effect if not adopted immediately. He might not be able to submit any thing the next day, but these circumstances being in their possession, and this information being laid before them, he should beg permission of the House, to avoid further trouble and protraction, to adjourn until next day, in order

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that in the course of twenty-four hours Gentlemen might turn the subject in their minds, and then meet and take it into consideration on the Report of the Committee of Supply.

The question on receiving the Report of the Committee of Supply next day was then put and carried.

The House, on motion, agreed to go into a Committee of Supply on Monday.

ACCOUNTS OF SALARIES; &c.

Mr. Sheridan asked the Chancellor of the Exchequer whether he had any objection to the papers laid that day before the House, moved for by him on a former day, and relating to the different salaries and emoluments of different officers appointed during the present war, being printed? And whether the same salaries were given to General O'Hara and Lord Hood, as to Sir Gilbert Elliot?

The Chancellor of the Exchequer said, that neither General O'Hara nor Lord Hood were to have any salaries for their appointments at Toulon, nor any farther emoluments on that account. He had no objection to having the papers alluded to printed.

They were ordered to be printed accordingly.

Lord Yarmouth professed himself anxious to explain a matter that might be misconceived; it referred to the account he had given the House a few nights since of the expences of his foreign embassy. It was not his intention to have said one word more than he had said on the subject of his mission to the King of Prussia, had it not been necessary, for the reason he had stated. There were some sums of money which he was directed to employ upon other services, such as estates, &c. besides the money expended on his mission. The whole amounted to 1500l.; he had said on a former day he had laid out only a few hundreds. All that he claimed was 800l. or 900l. The other was a distinct sum, which he was directed to employ in other services. His only purpose in stating these points to the House was, to verify the assertions he had already made, and he trusted the House would not be dissatisfied with this explanation. He begged leave to state also, what had been granted on precisely the same service to Sir Andrew Mitchell, whom he was obliged to follow, the King of Prussia being then at the head of his army. In the course of the last war, 1200l. was granted to him, and 3000l. afterwards for performing that service. His Lordship said he did not claim any degree of merit to himself, for this difference between him

and

and Sir Andrew Mitchel. The approbation of his Majesty for his service had made an impression on his mind, sufficiently satisfactory.

FRENCH OFFICERS.

*Major Maitland** said, he had reason to suppose that there were French officers upon the establishment of the staff, under the Earl of Moira.

The Chancellor of the Exchequer said, he believed there were some meritorious men of that description with his Lordship, from attachment to his Lordship and the cause in which he was engaged; but what their offices were, or what their pay was, he did not know.

Major Maitland said, that, however meritorious these Gentlemen might be, he conceived it to be perfectly illegal, that they should receive pay of this country when at war with France.

Mr. Secretary Dundas was of opinion, that an exceeding good reason might be assigned for the employment of those officers. If any thing was moved upon this subject, he would be ready to answer it the next day.

Mr. Whitbread said, it was singular enough, that a practice stated by his Honourable Friend to be illegal, should not be answered by the ministers, nor even properly recollected by them; they scarcely seemed to know whether the facts were or were not as stated, or they might have given a plain answer to a plain question.

Mr. Secretary Dundas said, he could not blame himself for not recollecting a circumstance, which until that hour he had never heard a word of.

Major Maitland then said, as the House was to meet next day, he would then make a motion on the subject.

NAVY.

Mr. Hobart brought up the Report of the Committee of Supply.

The Resolution for granting to his Majesty for the naval service of the present year, eighty-five thousand men, including twelve thousand one hundred and fifteen marines, being read a first time, and the question being put for the second reading,

* Brother to the Earl of Lauderdale, a Major in the army, and has served in India, from whence he returned a few years ago, and came almost immediately into Parliament, and has supported the Opposition uniformly from that time to this.

Mr. Hussy said, he did not rise to give opposition to the Resolution before the House; on the contrary, it had his hearty concurrence; but his object was to know whether it was really intended, that the whole of the eighty-five thousand should be *borne and mustered* with all convenient speed. He wished to have some assurance that by all proper means the navy would be increased as much as possible. He had for some time had it under consideration, whether he should say any thing or not upon the subject, being strongly convinced of the propriety of strengthening our navy. The honour of this country, and every thing great and dear to us in it, depended upon its strength. He had heard it said by an Hon. Gentleman [*Mr. Ryder*], if they were asked for an addition of five thousand to the eighty-five thousand already voted, instead of granting two hundred thousand pounds subsidy to the King of Sardinia, it would have been granted. He agreed in this observation, for he must plainly say he could not help thinking that five thousand men added to our navy, would be of infinitely more service to us than any exertion of the King of Sardinia. If peace was to be obtained (and no man wished for it more than himself) upon safe and honourable terms, it was to be procured by the exertions of our navy; for the security of this country depended upon our navy, and if this augmentation could be made, he thought it ought to be done. Every good man must wish it to be done. It was painful to him to speak at all upon such a subject—but this was not a time to be silent. Every man ought to come forward and state his anxiety. Our naval force was great; we were at this time contending with one power only, with France. Were we sure we should have no more to contend with?—It was possible we should, and for his part he thought it probable; he had great apprehensions on that account.

Admiral Gardner rose to reply to what had fallen from *Mr. Hussy*. He declared that he saw no reason why he should not answer the question that the Hon. Gentleman had put. There were at this present time from seventy to seventy-five thousand men *borne and mustered*, and what was wanting of the complement voted, would be completed as soon as possible; the exertions in that department were greater than had been ever known before; the ships were fitted out and completed faster than we could man them, a circumstance which had never occurred at any former period. With respect to what had been said upon the subject of convoys upon a former night, he had some documents, which would fully convince the House, that the neglect imputed to the Board of Admiralty had been founded in mistake. With regard to the
Baltic

Baltic trade, he read the Minutes of the Admiralty, stating what convoys had been applied for, when sent, with what ships, and with what ships they returned; that, while under convoy, not one single vessel had been lost; but that part of one convoy, under protection of the *Lizard*, had not obeyed the usual signals, but separated from the fleet, and of this circumstance, giving the names of the vessels disobeying the Captain of the *Lizard*, complaint was made at the Admiralty; but no complaint had been made on the part of the merchants concerned in that trade. With regard to the Quebec fleet, the second ground of complaint against the Admiralty, he stated, that application had been made by the merchants to appoint a convoy to meet the fleet at the Isle of Bic before the 8th of September; upon this duty the *Melampus* was ordered, but afterwards changed for the *Arethusa*, which arrived at the appointed place before the time appointed; but the fleet had sailed before her arrival; and if any of them were taken, it could by no means be imputed to any neglect at the Board of Admiralty. The second convoy from Quebec was by the *Severn*, who waited for the trade, at the request of the merchants, till after the 25th of October, which was the occasion of the merchants being obliged to pay double insurance; the event of this was, that the fleet at that time sailed under her convoy; that part of it bound for Spain and Portugal by desire parted from the convoy in a certain latitude, and from the other part the *Severn* was separated by a violent storm, in which the danger was so great as to render it necessary to throw part of her guns overboard to save her. In this case, there was no ship taken, while under convoy. The other complaint was the delay of convoys; he stated that the West India trade, the principal of it at least, had sailed under convoy according to appointment, the 2d of May; but that some time after application was made, not in the regular manner through the Chairman of the Committee of West India merchants, but by some individual, for a convoy for a part of the trade, as a matter of favour, and out of the usual way; it was nevertheless complied with; and the reason of their being detained so late as August, was to avoid the danger of arriving in the West Indies just at the time of the hurricanes; so that in no case had the contradiction to the statement made by his Right Hon. Friend (Mr. Dundas) been made out.

Mr. Fox said, he did not pretend to know where the blame was due, but that as it was his intention to inquire more minutely into the subject, at present he only wished to know if he understood the Hon. Admiral in his several statements. With respect to the Baltic fleet, he maintained what he had formerly

formerly stated and asserted, that the fact which he had charged had been by no means contradicted, viz. That a fleet sailed from Elsinour or some other port, he was not certain, under the convoy of a ship of war; the ship came home without the trade, fifteen or sixteen of which were taken and carried into some of the ports of Norway. As to the Quebec fleet, the fact he had stated, and that stated by the Hon. Admiral, might possibly both be true. He admitted a vessel had been sent to the island of Bic; but his complaint was, that the merchants of Quebec had not information of it, and that it might have been as well suffered to remain at home. The Hon. Admiral stated, that the *Arethusa* had been sent to that place at the particular request of the Quebec merchants here; but it was possible that they had neglected to inform their correspondents in Quebec. The statement made concerning the West India convoys differed in point of date from his; but the one convoy might very well have sailed the 2d of May, and another be ordered for the 15th (according to the dates which had been given to him), and delayed to the latter end of August: These were points he certainly would take an opportunity of inquiring into, and he should have done it the preceding day, had not he been taken up with other business.

The Chancellor of the Exchequer replied with some degree of warmth. He entered much at large into the history of the different fleets that had been convoyed during the present war, and justified the assertion of Mr. Dundas, respecting the general protection given to trade. He entered into a minute detail of facts, relative to the Baltic fleet, the West India fleet, and the Quebec fleet; and maintained, that in the cases of them all, there was no instance of negligence on the part of the Admiralty; he hinted, that Mr. Fox, at the time he advised the House to be on its guard against the assertion of ministers, was himself deficient in caution in what he advanced, and that the House should have as much reliance on the reputation of one party as the other. He then adverted to what he called an anonymous letter, produced on a former night by Mr. Sheridan, stating the distressed situation of Halifax, and their apprehensions of a visit from the French;—he said, his Right Honourable Friend had some documents to produce, which he trusted would convince the House, that the information conveyed to that Hon. Gentleman was unfounded. He doubted not, as his Right Hon. Friend would name his authorities, that the other Hon. Gentleman would not refuse to do the same. He was happy his Right Hon. Friend was present to do himself justice, which, as he was more competent to do, he should leave to him; had he been absent, he with pleasure would have

have undertaken his defence. He expressed some surprise that Mr. Fox should have stated as calamities, points, that turned out, many of them to be doubtful, and some not as he had represented them; by which it appeared that his information, as far as it went, was not to be relied on, for that it was contradicted by ministerial documents of undeniable authority. He enumerated them in their order, and concluded with wishing that no false impression should be made upon the public by an accusation of negligence in ministers without foundation.

Mr. Fox complained of the acrimony with which the Right Hon. Gentleman had spoken of his assertions, which he seemed to think were made without good grounds; but nothing which had been advanced, had, he declared, changed his mind on the subject, nor had it at all gone to controvert what he had asserted; he defied the Right Hon. Gentleman to come to a fair proof by evidence at the bar of the House; he said that he should certainly inquire further into the matter; and if it turned out that he had been misinformed, he would not be ashamed to apologize to such a body of men as composed that House, for taking up their time upon a light or groundless suspicion; but he insisted upon it not to be a part of his character, to take subjects up lightly, or to be ready to assert for facts, what he had not good ground for believing to be true. Such was the reliance he had upon the quarter from whence his information came, that he could almost pledge himself for the veracity of it: And he begged of the minister not to imagine, that because, by superior talents, he had in general the good fortune to convince that House, and possibly also to convince the House by other superior advantages, that he could convince the Public, or convince that House even against the evidence of facts, clearly proved. The Right Hon. Gentleman, he observed, was not content to speak on this plain subject in the rude, unpolished style which he had himself used; the Right Hon. Gentleman thought it too vulgar, or not so well calculated to persuade as the high-sounding lofty periods, in which he chose to dress his thoughts. The truth could not be altered; and upon such topics as the present, there might be as good evidence as what in pompous language was called ministerial documents.—He concluded with saying, that all he wanted was, a fair inquiry into this business.

Mr. Vaughan maintained that the West India trade had been greatly neglected with regard to convoys; there were three points in which that trade was to be considered, outward-bound, homeward-bound, and on the station: In each of these three points neglect, he said, had been manifested; the outward-bound had been delayed for want of convoys, the home-

homeward-bound had not sufficient convoys for their protection, in proportion to the magnitude of the trade and the value of their cargoes. As one instance, he cited the great West India fleet, valued at four millions, being suffered to come home under convoy of a 28-gun frigate: The Commodore on the station, it was true, had shifted his flag from on board the *Europa*, a fifty-gun ship, on board one of the prizes, and suffered her to convoy them as far as the Gulph of Florida; but from thence to England, they had no other convoy but the frigate; and on the station, so ill was the place defended, that any French armed ship might have gone into the harbours of any of the Islands, and cut out the vessels. He said that if inquiry were made at Lloyd's or on the Royal Exchange, whether our trade had been sufficiently protected or not, it would be learnt, that the merchants in general complained of want of protection to their ships and cargoes.

Mr. Alderman Anderson said, the trade to the Baltic had been better and more effectually protected, than in any former war; and that the Russian merchants, who were the principal persons concerned in the trade, were perfectly satisfied on that head. As the Right Hon. Gentleman had requested him, he had made the inquiry, and what he then asserted, was the result of it. If any vessels were lost in that trade, it was owing to the merchants themselves, for the convoys went as regular as the stage from London to Hampstead, in which, if those who wanted to go were not in time, they were left behind.

Mr. Fox explained, that the fact he wished to be informed upon, was, whether it was not a fact, that a fleet sailing from the Baltic under convoy, the vessel appointed to that duty did not return without the fleet; and whether 15 or 18 sail of them had not been taken and carried into the ports of Norway? He reminded the House that he had not said any thing with regard to the general protection of that trade. If he made any assertion with respect to it, it was, that it was protected better than any other part of the trade.

Mr. Smith said, the exertions made for the protection of the trade had been effectual, and were highly meritorious. He contended, that this country was in a worse state to protect her trade, than when we were fighting single against France, Holland, Spain, and America united.

Mr. Thornton declared, as a merchant, that he felt the trade had been sufficiently protected, and from one particular circumstance it appeared evidently so; for he was an underwriter; and so careless were the people about insuring, from an opinion their trade was not in danger from the enemy, that the business was scarcely worth following.

Mr.

Mr. Dundas expressed his concern that he had not been in the House on a former night, when the subject had been discussed, and when assertions of his had been questioned, which a plain narrative of facts would so evidently support. He said he would not enter into any discussion upon the business of convoys, as it had already been settled: He would just read to the House a simple statement of facts, from the letters of the governor of Halifax, a man of the highest probity and virtue, not recommended on account of any political connexion, but on account of his many virtues, and he wished he had many more such officers to recommend: The letters, from the 8th of January to the 3d of November, stated, that the place was in a respectable state of defence; that there were four thousand militia that could be brought together on two hours notice; and that 9160 were in the whole settlement—that these men were animated with the sincerest loyalty, and the strongest detestation of French principles—that some of them were respectable men of 100l. per ann. and upwards: that others had given security for the return of their arms, with which they were supplied out of his Majesty's stores—and that many were stated to be men who had served in the army, in good health, and fine-looking fellows. The Right Hon. Secretary contrasted this report with that conveyed in the letter produced by the Hon. Gentleman (*Mr. Sheridan*), which represented, as he had been informed, that there were but two companies of foot, two of artillery, and 300 wretched creatures called Militia. He hoped the Hon. Gentleman would have no objection to produce the letter, or give the name of his correspondent; after he had stated the name of Governor Wentworth as his author, who had in official documents given that communication, which he recited to the House, and which he trusted would be deemed a sufficient refutation of the information of an individual, however respectable, because his means of information could not be the same as that of the person entrusted with the government of the place.

Mr. Sheridan said, he felt somewhat astonished at the sort of conversation which had so unexpectedly taken place, and which he ascribed to a Rt. Hon. Gentleman, whose absence had been occasioned on a former night by a slight cold—he was glad to see that though it had occasioned his absence from the House, he had been able to employ himself since in his official capacity. He was that night so much indisposed in the same way himself, as to prevent him from troubling the House for any length of time. With regard to the letter which he had produced on the former evening, he knew of no right that the Hon. Gentleman had to pronounce it anonymous, merely, because whatever

confidence he had in the authenticity of its contents, it appeared to him improper to give the name of the author. He maintained that nothing had come out in the course of the debate, that took in the smallest degree from the degree of credit which he thought that letter entitled to. He had been called upon to produce it by one Right Hon. Gentleman, who had quoted part of it, and the arguments he had used upon it on a former night, which that Right Hon. Gentleman said he had taken down in the very words at the time; but this note, so particularly taken at the time, the Right Hon. Gentleman had forgotten to bring in his pocket, though he knew that the discussion was to be renewed that night. He could not produce the letter for the same reason, *viz.* because it was not in his pocket, but with this strong difference as to the cause, that he knew nothing at all about this question coming on. He contrasted the boasting and lofty manner in which two Right Hon. Gentlemen had defended the conduct of the Admiralty on the subject of convoys, with the plain, manly, and candid defence of the Hon. Admiral. He contended, that, from the letters produced by the Right Hon. Gentleman, it was proved that there were no fortifications, nor was the colony in any adequate state of defence, previous to the 27th of August. After commenting upon letters dated the 10th and 11th October, he remarked that the last letter which the Right Hon. Secretary admitted he had received, was dated 9th Nov. Now he begged that Gentleman would recollect, that the letter he had produced was dated 7th Dec. and wished to know really, if ministers had received no letters since, and if so, from what cause that proceeded; for notwithstanding the pompous account of 9000 militia, he had no better opinion of the force in Nova Scotia than he formerly stated; The Right Hon. Gentleman had stated, that 4000 of them were collected in Halifax, merely on an emergency, and after all the compliments heaped upon them, had said that still they had their exercise to learn, being, as they were described, freeholders and merchants. He must allow in one sense of the word that they were good men, particularly in giving security to return the arms. He contended however that nothing had been advanced either that night, or formerly, which convinced his mind, or ought to convince the country, that his former statement was not completely true: He would therefore restate it, by declaring that during the whole campaign there was not in Nova Scotia any naval strength, or any force on land adequate to the defence of that colony in the event of its being attacked; and he averred that out of doors, in Lloyd's, and at the Royal Exchange, if any inquiry was made where the best information could be obtained, it would be found to be the unanimous opinion,

opinion, that the trade and commerce of this country had not met with that protection which it ought to have done from the Admiralty. One or two Gentlemen indeed had delivered a different opinion in that House, respecting particular branches of trade, but none of them could take upon them to declare that what they said was the general sense of the London merchants. One Hon. Member had taken a curious way to prove the efficacy of the protection given to our trade by the Admiralty, when he stated that by under-writing he had made more last year than by all the other branches of trade, extensive as they were, in which he was engaged. Now the fair inference to be drawn from this, was exactly the reverse; and it became a censure upon the party that it was intended to panegyrise, because nothing could be more true, than that in proportion to the greatness of the risk, the advance of premium rose, and thus all the double premiums, which the Hon. Gentleman had gained by under-writing, were occasioned by the inadequacy of the protection of convoys which our trade had experienced. He was surprised to hear Gentlemen compare our situation at the commencement of the American war, with our situation at the beginning of the present war. Then we had to contend with many and great powers, whereas now we had all Europe as our allies against one power. Even our good ally the Empress of Russia, upon this occasion, has bound herself by solemn treaties never to lay down her arms till Great Britain had made peace, though by the way she had never yet taken up arms in the business. As to what had been said of our captures at sea, he believed it would be found that France had taken as many ships from us as we have taken from them.

Earl Wycombe declared he had heard nothing that tended to refute the arguments he and other Gentlemen had used on the former night; and he said he gave considerable credit to the information contained in the letter of the 7th of December, which Mr. Sheridan had produced. He acknowledged he was astonished to learn the great exertions which had been made to establish a militia in Nova Scotia, but at the same time he considered the keeping up such a militia as highly detrimental to the industry, and of course the prosperity of the colony. The noble Lord, with great knowledge of that colony, represented the effects of obliging the Quakers, who were the most useful and industrious part of the inhabitants, to quit their situation, and likewise stated the inconvenience and loss that had arisen from sending negroes from thence to Sierra Leone, and concluded by reprobating any system, with regard to that colony, that could occasion expenditure.

Mr. Burke observed, that on one side of the House, official information was given, which was opposed only by a letter without a name. He paid many compliments to Governor Wentworth; and Russia having been mentioned in the debate, he observed, that that great Princess seemed to have lost much in the estimation of her former most partial admirers, which proved the inconstancy of political amours.

Mr. Grey objected to the mode in which this debate had been brought on, as irregular, and hoped, as the questions in discussion were of the highest importance, some future opportunity would occur when an inquiry respecting them might be carried on in a more proper and formal manner. The Right Hon. Gentleman who spoke last, if he got up for any purpose, certainly had risen to enter upon a defence of Governor Wentworth, when that gentleman had never in any way been attacked. That Right Hon. Gentleman pretended to dislike sarcasm; there was one species of sarcasm which he never would let pass unnoticed in that House, and which was common with that Right Hon. Gentleman, as well as some others. Russia had been mentioned in this debate, France in others, and generally accompanied by insinuations, that Gentlemen on that side of the House had partialities for this and that country. To this he would uniformly answer, that he, and those who held the opinions that he did, had no partialities but for Great Britain, and the interests of their constituents; upon this principle they had acted with regard to Russia, and with regard to France, and ever would do whenever called upon by their country to do their duty, and to defend its rights and interests. As to the inconstancy of political amours, no man had a better right to know that from experience, than the Right Hon. Gentleman, who had allowed his favourite, his wedded wife Poland, to be torn from him by the hands of proud and savage ravishers, without even a struggle to retain her. Before *Mr. Grey* sat down, he wished to have the plain answer of Yes or No from an Hon. Magistrate, to the question put by his Right Hon. Friend, which yet remained unanswered, although the Honourable Alderman had twice risen for that purpose, and sat down without doing it. It was, whether 16 ships of the Baltic fleet, under a convoy homeward-bound, had not been captured, as stated by his Right Hon. Friend. He was convinced that all the merchants, if consulted, would be decidedly of opinion, that the conduct of the Admiralty had been defective and inadequate to the protection of our trade. To those who said otherwise, he would ask, if they could dare to convene the merchants of London, and try to make

make them vote thanks to the Admiralty for their boasted protection. The circumstance of six French frigates cruising in the Channel was admitted; what had been said of the Cork fleet of victuallers had not been denied; and the delay respecting the convoy of the Jamaica fleet was established beyond contradiction, as well as the inadequacy of the convoy appointed to conduct a fleet valued at four millions, and which left that fleet with only a 28-gun frigate and three sloops to proceed from the Gulph of Florida home.

The Chancellor of the Exchequer thought every satisfaction that was necessary had been given on the subject, and all future inquiry unnecessary.

Mr. Burke in explanation said, with political amours he had done—his mistress Poland he resigned to a more youthful admirer, who was all vigour and love. The ancient Theseus resigned his Ariadne to the youthful Bacchus; he would protect her from the rude hand of Despotism, had he the power; but wanting that, she must submit to her fate. He did not desert her from want of desire, but through impotence.

Mr. Fox went over the different topics that had been touched upon, and said that almost all that he had asserted being admitted, and the rest remaining uncontradicted, there only remained one point at issue between them, and that was respecting the delay of the convoy to the Jamaica fleet; on that and all the assertions he had made on matters of fact, he only wished, and had a right by the usage of the House to demand an inquiry, that he might have an opportunity of bringing evidence to the bar, or before a Committee, to prove what he had stated; and were he inclined only to mention now the situation of our naval strength and conduct in this month of January, he should think that sufficient to prevent ministers from continuing that vain boasting and parade, which they had adopted for a few days past of this session.

Alderman Anderson answered *Mr. Fox's* question in the same way as before.

Major Maitland said, he conceived there was something exceedingly reprehensible in the little attention that had been bestowed on the convoys to our trade. The House must be surprised when informed, that there was no other convoy to the Jamaica fleet, which contained property to the amount of four millions, than a single ship of the line. He was therefore of opinion, that some inquiry should be instituted with respect to the conduct of the Admiralty.

Admiral Gardner declared that the trade was never better protected at any period, than it had been during the present war.

war. He insisted that one line-of-battle ship was sufficient to convoy a fleet across the ocean. It was true that he had sent a 74 to look after the fleet, which had been convoyed by a 50-gun ship, a frigate of 28 guns, and two sloops, but that ship returned without overtaking the convoy, and as that fleet had arrived without losing a single ship, it shewed that it was properly protected. There was no danger, he said, except when a fleet approached their place of destination, and Lord Howe was ready with the channel fleet, to convoy the trade into harbour.

Mr. Grey said, nothing had been uttered on the other side of the House, that did not demonstrate that there was a necessity of an inquiry being instituted into the defenceless state, not only of the Atlantic, but of the Channel, particularly the latter, where the enemy continued to commit depredations on the trade.

Mr. Dundas supported the assertion of Admiral Gardner, but stated nothing new on the subject.

Captain Berkley recapitulated the assertions made by Admiral Gardner, and recommended Gentlemen, who spoke on the other side of the House, to study nautical matters, before they attempted to speak on maritime affairs.

Mr. Sheridan rose once more to say that he apprehended the Hon. Admiral and Captain who had just spoken, had deviated from the propriety of debate, in presuming that no Gentleman was qualified to speak on the question, but those who sat on his side of the House. He appealed to several naval gentlemen near him, conversant in naval affairs, if there was not a shameful deficiency on the part of those entrusted with the protection of our trade. Though not in office, he apprehended that they were not the less qualified to give an opinion on the subject. Ministers, he observed, had come down that day, with voluminous documents, to overpower every argument that went to prove the neglect that exposed the trade to the capture of the enemy. If, continued *Mr. Sheridan*, there were any listeners to our debates, how humiliating to Administration, to have it said, that those Gentlemen who opposed the measures of Government, called for an inquiry, on a subject to which its supporters declared that the friends of Government were alone competent to decide. If this were the case, they may have a complete triumph in exposing the weakness of those Gentlemen with whom he had the honour to agree.

Mr. Vaughan made a pointed reply to the arguments of Admiral Gardner and Captain Berkley, and asserted, that the mer-

merchants in general held a language relative to convoys, directly the reverse of their statements*.

On the question being put on the estimates, it was agreed to without a division. The report was ordered to be made on Monday.

On the motion of *Sir Pepper Arden* (the Master of the Rolls), a vote of thanks was passed to the Chaplain for his excellent sermon on the subject of the Martyrdom of King Charles.

* As the following statement may be considered as bearing some relation to the preceding debate, and others on the same subject, it will not be an useless matter of reference to the reader.

Statement, taken from Lloyd's Lists, of the Vessels captured from the 1st of February 1793 (the Commencement of the War), to the 1st of February 1794.

| By the English. Sh. | By the Spaniards. Sh. | By the Dutch. Sh. |
|---|---------------------------------------|-------------------|
| French (of which 75 are privateers, 4 frigates, and 3 sloops) 232 | French (of which 3 are privateers) 21 | French - 2 |
| Dutch - 4 | English - 3 | |
| Swedish - 7 | Swedish - 2 | |
| Danish - 4 | Danish - 3 | |
| Hamburg - 3 | American - 1 | |
| American - 25 | | 30 |
| Spanish - 1 | | |
| English (having French property on board) - 3 | | |
| 284 | | |

| By the French. | Ships. |
|--|--------|
| English (of which 10 are privateers, and 2 frigates) - | 332 |
| Dutch - | 48 |
| Dantzic - | 4 |
| Danish - | 5 |
| Hamburg - | 6 |
| American - | 2 |
| Bremen - | 1 |
| Spanish - | 4 |
| Portuguese - | 2 |
| | 410 |

The above does not include the captures at Toulon, which amount, by the Gazette account, to 45 ships of all sorts, burnt or carried off.

| | |
|-------------|-----|
| French - | 410 |
| English - | 284 |
| Spaniards - | 30 |
| Dutch - | 2 |
| | 316 |

Balance 94

in favour of the French against all the Combined Powers. Recaptures are allowed for in the above statement.

Mr.

Mr. Bouverie presented a few official documents at the Bar of the House.

Adjourned till next day.

HOUSE OF COMMONS

SATURDAY, *February 1.*

BANK OF SCOTLAND.

The bill for enabling the Governor and Company of the Bank of Scotland to increase their capital to any amount not exceeding one million sterling, was read a first time, and ordered to be read a second time.

SUPPLY.

Mr. Hobart brought up the report of the Committee of Supply.

The same having been read a first, and ordered to be read a second time, after the second reading *Mr. Hobart* moved, That the House agree with the first resolution of the Committee, *viz.* "That a sum not exceeding 200,000*l.* be granted to his Majesty, to enable him to fulfil his engagements with the King of Sardinia."

Mr. Grey rose, not, he said, to oppose the motion, but to state some new objections to the treaty itself. When the matter had last been agitated, his Right Hon. Friend (*Mr. Fox*) had casually let slip an epithet, which occasioned the treaty's being argued almost entirely upon the ground of precedent, a ground upon which the merits of any treaty never should be argued, because every treaty depended solely upon the circumstances of the day, and the situation of affairs. On the ground of precedent on the former night, *Mr. Grey* said, he had not been prepared to speak, but upon looking into the subject since, he trusted he could make it appear, that the precedents quoted by the gentlemen who were the advocates for this treaty, would by no means bear out their arguments. The treaties with Sardinia, in 1704 and 1743, had been selected as precedents for the present treaty, but they were by no means applicable. The situation of Sardinia at those periods, and at the time of concluding the treaty upon the table, was essentially different. At the time of entering into the first of these treaties, the King of Sardinia was the active ally of France; to detach him from that alliance, it was necessary to offer him some singular advantage, to counterbalance the losses he must necessarily sustain from his breach of faith with France. In the second case, the treaty of 1743, the King of Sardinia, it was true, was not actually in alliance with France, but was hesitating where to fix, and bal-

lancing

lancing between the allies and France, with a seeming preponderance in favour of the latter; and to these three treaties all the Belligerent Powers were parties. But what was the case in the present instance? Sardinia was not the ally of France, nor even neutral with regard to that country, but at actual war with her. On the contrary, she had been stripped of Savoy, and the rest of her territories were in imminent danger; and by the treaty we had exclusively bound ourselves not to make peace till Savoy and Nice should be restored. He earnestly intreated the attention of the House to the different situations in which Savoy stood at the different periods when the several treaties had been made; and read from history, a passage, shewing the great consequence of our alliance at that time. His principal object, at the present moment, Mr. Grey said, was confined to an expression which had fallen from an Hon. Member (Mr. Powis) on the former night, concerning the payment of the Sardinian troops employed at Toulon. He wished to hear distinctly, whether those troops, for that service, received nothing from this country in addition to the subsidy of 200,000*l.* granted to his Sardinian Majesty by the treaty?

The Chancellor of the Exchequer in reply said, that nothing on the part of this country had been given, or engaged to be given to the King of Sardinia, on account of the service of his troops at Toulon. The subsistence, and extraordinary expense of these troops while at Toulon, would probably be defrayed by this country.

The other resolutions of the Committee of Supply were then read, and the whole report agreed to.

FRENCH PROPERTY IN FOREIGN COUNTRIES.

The Chancellor of the Exchequer reminded the House, that he had the preceding day undertaken to inquire into the circumstances of the very singular transaction, which he had then thought it his duty to state in such general terms, as would best convey a just idea of a matter, highly important in itself, and from its nature well entitled to parliamentary consideration. The result of the information he had received he was ready to state to the House, and on such reflection, as from the shortness of the time he had been able to give the subject, he was fully confirmed in the necessity of taking some immediate measure, to guard against the dangerous and destructive effects which would otherwise be produced by it; at the same time, he did not mean to trouble the House with any specific motion that day; he thought it would be more convenient to postpone it until Monday, as he was fully persuaded, that

during that short interval, no injury or inconvenience could arise from the delay. He meant, therefore, at the present moment to give notice, that either he, or some one of his learned friends, would on Monday move for leave to bring in a bill adapted to the occasion. At present he would state the circumstances of the transaction as shortly as possible, with his view of the subject, and the natural tendency of the measure, which he should think it his duty to propose; and he believed he could not more effectually do this, than by reading extracts from two papers, on the authority of which he could entertain no doubt, when he considered the channel through which they came. The first of these papers purported to be a decree of an extraordinary commission instituted in France, in consequence of a resolution of the joint Committees of Finance, of Public and General Safety and Subsistence. Whether there was any antecedent decree of the Convention, on which this was founded, was not so clear; and indeed that was the less material, as these papers were so complete in themselves, and so fully explained their own meaning, that hardly any further or other information could be necessary. He then read the decrees or papers to which he alluded, of which the following is the substance.

“ The Commissioners having considered the decree of the 25th of December last, by the Committees of Finance, of Public and General Safety united, which put under requisition the resources and the industry of France, and particularly of all the Bankers, Capitalists, and Agents of Exchange; and being desirous of arriving at a rapid execution of every plan for promoting the happiness and dignity of France, now decree—

‘ That all merchants, capitalists, and all others, who are possessed of funds in foreign countries, shall, between this day and the next *decade* [here he said he must confess, he was not sufficiently acquainted with the new French calendar, to say what that day was], make a declaration of all the effects and funds possessed by them abroad, and of all the merchandise they possess there, sold or unsold.

‘ That they shall equally declare, upon republican veracity, any citizen whom they are acquainted with, who possesses funds or merchandises in foreign countries.

‘ There shall be sent with the greatest expedition commissioners to the cities of Bourdeaux, Marseilles, Havre, Dunkirk, Brest, Cherbourg, Rochelle, St. Maloes, &c. to obtain the same information, and the same declaration; and letters of requisition shall be sent to the representatives of the people at Montpellier, &c.

‘ Nil.’

‘ Nine commissioners shall be selected from among the bankers, and nine from the agents of exchange.

‘ The Committee of Public Safety shall be invited to take off immediately the seals placed upon the books of the bankers and capitalists who are now in a state of arrestation; to withdraw from under these seals all papers and documents, in order to obtain the same declaration required by the preceding article.

‘ The commissioners taken from among the bankers shall be charged with carrying on and watching over the execution of this decree, and punish with the severity of the law all those who shall be guilty of delay, or oppose the execution of the decree of the United Committee of Finance, of Public and General Safety.

‘ The National Treasury shall receive all the money that shall be produced in consequence of these appropriations.’

This was followed by a paper six days afterwards, which purported to be an instruction to those persons, merchants, bankers, capitalists, &c. who are the objects of the papers in question, to give an account of all the funds, credits, bills of exchange, and other property, in foreign countries, belonging to them: And these accounts are required within two days to be brought into the Public Treasury; they are next informed they were to have a receipt for the property so brought in, and to be paid the value of it in assignats at par. That the commissioners expect from all those proprietors and accountants republican fairness and celerity, and that all delay and fraud will be punished with the severity of the law. This was stated, the Chancellor of the Exchequer said, in the form of a circular letter sent by the commissioners to each individual who was the object of the decree.

Having thus stated the principal features and ground-work of the plan concerted by the French to injure Great Britain, by wounding her in the most sensible point, the Chancellor of the Exchequer said, that upon the tendency of the papers which he had just read to the House, there could be but one opinion, viz. that it became the indispensable duty of his Majesty's ministers to submit some means of counteracting so mischievous a design to the legislature of this country, and calling upon them for their aid and advice, to render the means proposed practicable and effectual. The House could not but be aware, that the nature and effect of what he had read to the House was this, That whoever has the power of drawing bills of exchange—whoever has debts owing to him from persons in foreign countries—whoever has the disposal of funds, merchandise, or property of any sort in foreign coun-

tries—those who possess any of these things on their individual accounts, shall deliver them up instantly to the state, that they may become the public property of France, and shall receive in lieu of them assignats estimated at par, as the full payment and equivalent for the whole of this transfer to the state. From their statement of this measure it was obvious it united two distinct characters equally clear—the one, a robbery of the citizens of France, by making them, whether they would or not, transfer that which is valuable for that which they might not think valuable at all. They were constrained to take at par that which at times was worth only one-seventh. The next thing was, that all debts owing from individuals in countries at war with France, instead of going to the individuals for the purpose of commerce, should go to supply the means of carrying on the war. Under such a transaction, he thought it equally obvious, that to prevent its operative effect there required on our part a certain manifestation of regard to our own interest, and our own security; and even if these were out of the question, a certain degree of regard was due to the preservation of our mercantile good faith, in order to prevent transferring by this mixture of fraud and force the payment of their lawful debts from the persons who are intitled to their receipt to the state.

The Chancellor of the Exchequer reprobated this new and alarming measure of the present rulers of France, as a complication of tyranny, fraud, and injustice; at once a proof of the miserable shifts to which the revolutionary government of Paris was driven to provide supplies, and the total disregard of every principle of protection and justice, which all governments owe to those who submit to their subjection.

As a further elucidation of the important matter before the House; it would be necessary, the Chancellor of the Exchequer said, to advert to the general principles upon the subject by our laws, of which most gentlemen had undoubtedly some recollection. One of the principles was, that the payment of any debt owing to an alien enemy may be suspended during war; no action for debt can be maintained to enforce the payment; and the King might, if he thought fit, attach it as belonging to an alien enemy. But the mitigated and milder practice of modern times, from a desire to continue, even in a state of war, as much as possible the benefits of mercantile intercourse, which were for the advantage of individuals without trenching on the public safety, had long ago suffered the rigour of the law to relax, and brought this principle in its full extent into disuse. But although the practice was much to be applauded, when only this use was made of it, yet,

yet, if instead of answering the first ends of it, which were that of preserving the interest of the individual, subject to the limitation of not trenching on the interest of the state, it inverted both these propositions, by plundering and destroying property, and by breaking good faith, and on the other hand, directly, manifestly, and without disguise, forcing a supply, not collaterally, but directly, into the coffers of those with whom we are at war; and, in addition to this, to support the credit of the incredible mass of assignats already so much complained of, and which were made the principal engine of the war. The government, by seizing into its hands all the property of individuals, by compelling them to draw bills of exchange upon such foreign countries as they had either credit or property in, and receiving in lieu thereof assignats, would thereby create a fund, constituting in reality a tribute paid by this and the other nations combined against the French republic, to enable it to carry on the war against themselves. He thought, therefore, it would be consistent with wisdom, sound policy, justice, and humanity, to use our utmost exertions to prevent, at least with regard to our own country, this measure of the French from taking effect. He also wished to have it understood, that some means should be adopted for securing the property of the individuals of that country, and to quiet their minds upon that subject. These circumstances amounted to an ample justification for departing from the practice that had long obtained with respect to the existing laws on the subject, and, therefore, he should think it his duty to propose a measure for immediately prohibiting, under a penalty, the payment of any bill of exchange, or the disposal of any funds belonging to persons residing in France, at such a time as that this appropriation would have attached on them. But although this was the object, the most pressing in point of time, there were other objects which the humanity of the House would suggest as almost equally requiring their attention, although they would not, in all probability, be so liable to be defeated by delay. A second object of the British Parliament would be, to prevent the subjects of France from becoming sufferers by the tyranny of France, and to preserve for them entire the prospect of the payment of those debts which the despotism of the present rulers of the French would have seized from them. There was another object equally important: Whatever measure might be necessary, it was our duty to bear in memory, that, in our attempt to preserve their property, we should not be the cause of sacrificing the lives of these unfortunate persons; and therefore to conceal their names as much as possible would

would become a necessary part of our care. This was matter for discussion, and matter which might require much consideration. He should have thought it his duty not to have passed over the day, without moving for leave to bring in the bill, had he not made inquiry upon the subject, and been given generally to understand, that the delay resulting from the interval between then and Monday, would not be attended with any bad effect. Parliament he hoped would take some rapid step on this subject; and he trusted, that after what he had stated, there were not any merchants in this country who would accept any bill of exchange, or do any act which would operate to prevent the immediate effect of the measure which the wisdom of Parliament might think proper to adopt. He gave notice that either he himself, or some learned friend of his, would move for a bill on the first object he had mentioned on Monday; and he hoped Gentlemen would take advantage of the interval, and turn the subject in their minds, so as to come prepared to discuss it with that degree of candour, intelligence, and judgment, which its importance required. With regard to the other objects, he would submit them to the consideration of the House, the first opportunity.

FRENCH OFFICERS IN BRITISH PAY.

Major Maitland desired to ask a question which the Secretary of State (Mr. Dundas) had said he was not prepared to answer the preceding night. The Right Hon. Gentleman had since had time to inform himself of that, respecting which he ought never to have been in want of information; and he desired to hear from him explicitly, whether or not there were French officers employed as aids-de-camp to the Earl of Moira, and receiving British pay.

Mr. Secretary Dundas said, he did not feel himself bound by duty, or any other consideration, to give an answer to any such question. His opinion was, and he begged to be understood as giving only his private opinion, that the Earl of Moira had a right to employ such instruments as he might think most fit for executing the service with which he was entrusted. To mention the names of French officers in any way contributing to the operations of the war, was a matter of much delicacy; and he desired the Hon. Gentleman *once for all* to understand, that he should decline answering any question, whatever might be the Hon. Gentleman's motive for putting it, that tended to disclose the measures of his Majesty's government, the success of which might depend upon secrecy, unless he was commanded by the House to answer.

Major

Major Maitland in reply said, that being himself a military man, he could not be supposed to have meant to call for any information concerning the expedition of the noble Earl, the communication of which might prove injurious to the objects of the service, or the interests of the country. The facts he had wished to ascertain, might be learnt from the meanest private soldier serving under his Lordship; though the Right Hon. Gentleman seemed to consider it as a very curious and important Cabinet secret. He understood from good authority, that there were French officers employed under the command of the Earl of Moira, and in British pay. If such was the fact, it was contrary to law, and a fit subject of inquiry by that House. He was ready to admit, that the situation of such French officers was delicate, and that their services might be useful; but if they were to be employed in a legal way, the delicacy of their situation would not be violated, and their services would not be less important. All the army under the command of the Earl of Moira must know whether any such officers were employed; and, therefore, to state the fact to the House of Commons, would not be disclosing any state secret. If the motion he was now to make should not be assented to, he said he would take another opportunity of bringing the subject before the House. The Major concluded with moving, "That there be laid before the House the names of such officers, natives of foreign countries, now in service under the command of the Earl of Moira, and receiving British pay."

Mr. Grey seconded the motion. He declared, he was somewhat surprised at having heard his Hon. Friend's question refused an answer, on grounds which appeared to him to be so frivolous and so idle; but he was sorry to observe the best part of the practice of the constitution broke in upon, and its principles departed from daily, under one specious pretence or other. The Secretary of State had said, that the Earl of Moira had a right to employ such instruments as he might think fit for executing the service with which he was entrusted. He would tell the Right Hon. Secretary, what the Earl of Moira had not a right to do: He had no right to employ foreign officers in British pay, within this country, without the authority of Parliament. If the motion should not be carried, he desired to be understood to give notice, that he should again bring forward the subject, and submit some motion to the House relative to the landing of Hessian troops in this kingdom.

The question on *Major Maitland's* motion was negatived, and the House adjourned till Monday.

HOUSE OF COMMONS.

MONDAY, Feb. 3.

FRENCH PROPERTY IN FOREIGN COUNTRIES.

The Solicitor General (Mr. Mitford) rose to move for leave to bring in a bill, the grounds and necessity of which had been fully explained by his Right Hon. Friend on Saturday, in what his Right Hon. Friend had said relative to the late decree passed in the French National Convention. The Solicitor General said, he saw no occasion to expatiate on the subject then, because if any difference of opinion should arise on any part of the provision which should be proposed, it might be discussed in some stage of the bill: He would therefore content himself with moving for leave to bring in a bill, the title of which he conceived would sufficiently explain the object of the bill itself. He moved accordingly, "That leave be given to bring in a bill, to prevent the application of debts in the hands of any of the subjects belonging to his Majesty, to or for the disposal of persons resident in France, under the power of the persons who exercise the present government in France, and for preserving the produce of such property to the individual owners thereof."

The question was put and agreed to, and the Attorney and Solicitor General and others ordered to prepare and bring in the same.

WAYS AND MEANS.

The House in a Committee of Ways and Means, for raising a supply to be granted to his Majesty, voted a continuance for another year of the duties now payable on Land and Malt, &c. The report was ordered to be received next day.

Leave was given to bring in a bill for regulating his Majesty's marine forces while on shore.

COMMITTEE OF SUPPLY.

On reading the order of the day for the House to resolve itself in a committee of the whole House, to consider further of the supply to be granted to his Majesty,

The Chancellor of the Exchequer said, the accounts of the army, ordnance, and extraordinaries of the navy, were very numerous. Whether it was intended by any Gentleman to enter into any particular discussion of them, he could not tell; they were all now before the House; he rose now chiefly for the purpose of saying, that he should make a general reference to them all, in the course of what he should submit to the House on Wednesday.

The House having resolved itself into a Committee of Supply, passed a resolution moved by Lord Arden, that

558,021l. be granted to his Majesty for the ordinaries of the navy.

His Lordship also moved, that 547,310l. be granted to his Majesty, to defray the expences of building and repairing ships of war, and other extra work, over and above the sum to be allowed for wear and tear, for the year 1794: This resolution was likewise agreed to.

ARMY ESTIMATES.

The Secretary at War begged the attention of the Committee to the subject of the army at present, and of the troops requisite for the service of the current year. He reminded the House that it had fallen to his lot to perform this duty for some years past, and hitherto he had only had the regular and limited number of a peace establishment to propose. The situation however in which we found ourselves involved, by the unprovoked and unjustifiable aggression on the part of France, and the consequent exertions we were bound to make to enable us to repel that aggression, called upon us to make more vigorous efforts. These exertions he was happy in being able to assert, were such as he had no doubt would reflect the highest honour upon those to whose spirit and talents they were principally to be attributed. To what extent they have been made, would best appear by a comparative estimate of what had been done in former wars, from which we could alone judge of what had been effected in the present instance. For this purpose he stated to the committee the number of troops raised beyond the peace establishment in any one year during the war of 1756, as also in the late American war, from which it appeared, that the greatest number of men raised in any one year of those periods, did not exceed 22,000 men.—During the short period of one year, that the present war had continued, we had by various means, by the addition of new corps of cavalry, guards, marching regiments, &c. actually raised new troops to the amount of no less than 37,165 men, a number infinitely greater than could be produced at any former period. Having thus stated the superiority of exertions made for conducting the war, and the necessary vigour to ensure success and peace; he concluded with moving, “That a number of land forces, amounting to sixty thousand two hundred and forty-four effective men, commissioned and non-commissioned officers included, be employed for the service of his Majesty for the year 1794.”

Mr. Hussy, in reply, began with expressing his concern, that with the best inclination to promote every measure that could promise to further that success which must be universally wished for, he was obliged to give his negative to this vote of

troops, a negative he would give with additional satisfaction, if he could hope it would be effectual. The Hon. Secretary had been at the pains to state to the House, the comparative exertions in raising troops during the former and present wars; he could have wished he had gone a little further, and stated the operations effected by those troops in other wars, and the present, whence we could more justly estimate the comparative advantages. The House had heard the detail of wars in the years 1759, 1760, and what troops had been engaged in the whole of the American war. He wished he had heard as well as the number of the troops, the effect of employing them in the years 1760 and 1761. And after the number of troops in the American war, he should be glad to hear what benefit this country derived from the employment of those troops; and then he should like to hear stated, what benefit we are to expect from our present military force. He was almost ashamed to look at this augmentation of our military force, because he was afraid we should never be gainers by it: If it could be shewn to him that we might, he should be ready to subscribe to the augmentation; but he had heard nothing yet, to make that appear probable. He declared himself, on a former night, an advocate for the augmentation of our navy; because he knew that if they would do their duty, (and what reason was there to doubt it?) they would be of more real use to this country than an augmentation, such as this, ten times over: A few good ships had ten times the force for us, of any land operation. He wished the minister had stated some inducement to the House, for what was now asked; for he confessed that he felt a great deal upon this subject, and he could not make up his mind as to any good that could be gained to this country, by this augmentation of its military force. We should only plunge ourselves deeper and deeper by it. This country, Gentlemen would recollect, was encompassed by sea—the great object of its resources was commerce. What was likely to extend that commerce, and increase those resources?—Our navy. There were now borne and mustered, as he heard on a former day, between seventy-five and seventy-six thousand men. If we could afford to augment in any part of an armament, why not make this one hundred thousand? The difficulty did not appear to him so great, as to some it might appear. A ship properly manned was one that had one-third landsmen, one-third ordinary, and one-third able-bodied seamen. Our ships, even on returning from an expedition, would be able to afford some towards this complement. He could not help pressing these points on the consideration of the House, and for the consideration of the public, for he was persuaded

persuaded that we had no good to expect from the augmentation of our army in this war. He did not mean to say any thing disrespectful of the army. The army might by their exertions afford very material service to this country when properly employed; but upon this occasion he could not help saying he did not see that their utmost exertions could be beneficial to Great Britain, and therefore he was bound to give his negative to the motion then before the Committee.

Major Maitland said, he should vote for the motion then proposed; but he begged leave to lay in his claim to take a different view of the subject, from that which was taken by the Honourable Gentleman who spoke last, for he was one of those who thought that the exertions of the army, under prudent directions, arising out of a prudent plan, might be rendered highly beneficial to this country. Whether that had been the case hitherto in the present war, was a question which he intended shortly to examine. The Hon. Secretary at War had said that more troops were now employed than in the American war; he had no doubt but that the statement was correct in that particular. But that was not the point to be discussed; it was not the number of troops raised that ought to be attended to, but the manner of raising them, and when raised the manner in which they were employed. If levy-money to a greater amount was expended upon the present plan, than on any former occasion, there certainly was an end of all the merit in raising men which was claimed. He did not wish to say (and he begged it to be understood as speaking of the whole army), nor did he believe, that any blame could be ascribed to any of the generals, officers, or men employed in the present war; many of them he knew to be men of the highest character, and for whom he had great esteem; and in stating all the numbers at present employed, it would have been well if the Secretary at War had mentioned the effects produced by the exertions of which he boasted, and had stated the military operations of the campaign. It would have been well too if the Right Hon. Gentleman, or any other person in his Majesty's Council, had stated what all our force had to contend with, and then he believed it would appear that we are fighting against that for which military prowess is not a match, for there was no military skill that could alter sentiment, or any military valour that could eradicate opinion. It would have been well too if the Right Hon. Secretary had had the candour to state that all our force was now to be employed against opinion, for then we should see the situation in which we stood, and what probability we had of ultimate success. As that, however, was not immediately the subject of that

night's discussion, but might be the subject of a future one, he would not pursue it any longer at present. The House, the Major said, was then met to discharge one of its most important functions—that of taking money out of the pockets of its constituents for the support of Government; and in that point of view it became the House to inquire, whether the money already levied on the public had been well applied, and what was to be expected from the application of it in future. We must consider then, whether in the former campaign ministers had made good use of what they had in their hands?—and this question would again resolve itself into two points—whether they had not employed small force where great force was indisputably necessary?—and whether they had not employed great force where small force would have been sufficient?—He cared not what the force was, for the sake of the present argument; his business was at this time to inquire whether the force, such as it was, had been well or ill applied. In discussing this he should leave out of the question the whole of the conduct of our allies—what that might have been, might also be the subject of discussion hereafter, and when it should, he should be ready to argue and to prove that the success of the allies was infinitely inferior to what might reasonably have been expected, and that the allies are at this time in a much worse state and situation, than they were at the commencement of this campaign, or at the time of the Austrians defeating Miranda at Maestricht. The Major said, he would confine himself to the operations of British troops commanded by British generals, upon every one of which, he feared it would be found that we had completely failed. He believed it would appear upon the discussion of that subject, that instead of honour we had met disgrace—instead of victory we had found defeat—instead of advantage gained, we had experienced loss suffered—instead of credit for the wisdom of our plan, we merited nothing but contempt—In a word, that there was nothing in any part of the campaign, that could be said to give to this country any one point of advantage, as a national object. In one place, our force was found inadequate to the object to be gained. In the other it was more than the object could be worth, if gained. But he begged again to repeat, that he meant not in the most distant manner either to cast censure on the generals, officers, or men, who composed our armies, but to impute blame to ministers, to whose mismanagement and misconduct solely he attributed all our misfortunes.

The Major proceeded to take a review of the principal events of the late campaign. The success that followed the embarkation of the guards for Holland, by the relief of Wil-

liamstadt, was, he said, by no means to be attributed to any wisdom or foresight of ministers, because that being merely a defensive measure, no previous plan could possibly be adopted to insure success. The first fair point for consideration of the subject, therefore, was that of the conduct of the British at Valenciennes. When they came before that place (they did, as often they had done, and he trusted always would do), they acquitted themselves with honour and glory to their country: From their number, and from the number of the allies, they succeeded in their object; but from their number and the time taken up for that purpose, there was nothing wonderful in what was done on that occasion, considering that it was done by all the combined powers. When, however, they came to act separately and without the allies, as they did before Dunkirk, the consequence was disgrace; the event not only reflected disgrace upon the arms of this country, but had also been the cause of the melancholy situation in which the allied armies had been ever since. Some Gentlemen from their smiles seemed to doubt this, and seemed to doubt whether the siege of Dunkirk reflected disgrace on us. He would, for the purpose of being well understood, repeat, that the siege of Dunkirk reflected disgrace upon this country, and that it was in a great measure the cause of the subsequent calamities which were felt by the allied armies. What happened upon this occasion? The Major said, he must again declare, that it was not the conduct of the commander, but of the minister, which he blamed; the illustrious Prince who commanded at that siege was sufficiently brave, there was no doubt of that. But the question was, whether the means were adequate to the end proposed—and it might be a question worthy of discussion hereafter, whether the expedition was undertaken with the advice of his Royal Highness the Duke of York and the Prince de Saxe Cobourg, or without their advice, by the Cabinet of England. How far in point of fact that siege was undertaken by the gallant and illustrious General who commanded the British troops, upon his own suggestion, or by the interference of ministers at home, it was impossible for him to possess adequate information to be able to state. But upon the very face of it, the means employed were inadequate to the end proposed, and the expedition completely failed: This he believed to have arisen either from ignorance or negligence at home. The situation of his Royal Highness on that occasion was very comfortable: He saw himself forsaken by ministers: He saw himself left defenceless. The officers under his command saw themselves in that situation, and the expedition failed. Why did he state this? Not for the sake of saying that the
pos-

possession of Dunkirk was not desirable, for desirable it certainly was, but he stated it to shew that the plan for taking it was ill-contrived, and that it failed in the execution. It had been stated by a gallant Admiral (M^r Brides), whose veracity was as undoubted as his courage, that the petty gun-boats annoyed our troops upon that occasion considerably; and to them likewise we owed the loss of one of the first officers that graced the British name, Major Moncrieff. He believed that the whole of the disgrace which fell upon the British arms at Dunkirk, ought to fall upon the ministers who advised it, and not upon his Royal Highness the Duke of York. But if it should turn out otherwise, however illustrious his character, he could not be free from blame; and that ought to be inquired into hereafter. He understood that when the Duke came there, in expectation of all the requisites, there was no battering cannon necessary to carry on the siege, and that other essential articles were wanting, owing to the negligence of ministers. Upon the whole of this business, therefore, he must repeat his former assertion, that all the subsequent misfortunes of the campaign were to be attributed to it, inasmuch as our disaster before Dunkirk served as a signal for rallying throughout France. The consequence of our failure at this place was such as he had already stated—the defeat of the Prince de Saxe Cobourg at Maubeuge. The next object, a link in the chain of incidents which made up the connexion of the events of the campaign was that which took place at Toulon, and upon this subject the language of ministers was curious. They assumed credit for having destroyed the French navy at that place. We certainly had given them a severe blow in that respect; but where was the praise to arise? We had got Toulon by *treaty*, and we lost it by *force of arms*: How did this prove our military advantage? We got Toulon by promises to the French there.—We lost their confidence by betraying them. How had ministers conducted themselves upon this occasion? They sent a force that was inadequate to keep it—we were faithless to our trust, and the only thing in which ministers exerted themselves, was that of creating a Staff, increasing the officers, and pursuing all the expensive part of a military establishment, and adding to the means of corrupt influence; in short, upon the face of the whole of this expedition, there appeared, as far as ministers were concerned, nothing but corruption and incapacity.

If Toulon was of that consequence it had been formerly stated, why was the expedition planned under Sir Charles Grey suffered to be diverted from the preservation of it? After the capture of General O'Hara, the General who succeeded

ceeded him (Dundas) stated in his dispatches the doubtfulness of being able to hold Toulon without the possession of the heights, which yet they were unable to preserve for want of troops. Thus the object failed, let the fault be where it may, With respect to the expedition under General Sir Charles Grey, how did matters stand? That expedition was postponed by repeated interruptions and delays until it was at last set forward in so boisterous and dangerous a season, that by the last accounts, he was seen struggling with storms with only one man of war, a frigate, and three transports. Thus did ministers fritter away the efforts of the nation, and the expedition became nominal, for the sake of establishing their favourite measure—the Staff.

In respect to the projected expedition of the Earl of Moira, the conduct of ministers had been as bad, if not worse than in every other particular; for that gallant officer, whose skill, knowledge, and valour, he did not doubt, after being attended by a variety of people, his expedition, as his Honourable Friend (Mr. *Sheridan*) had said on a former night, ended in an invasion of this country by a troop of Hessians. Thus he had stated, as briefly as the subject would admit, all the objects and the effects of the different expeditions of the British forces, as far as related to Europe. He would next proceed to take a short view of them in the West Indies; where the same series of misconduct and misfortunes presented themselves to his view; where, whatever we undertook by force of arms, as in the expedition against St. Lucie, failed; and where our successes, as in the possession of part of St. Domingo, was the effect of negotiation, not military exertion. Tobago was taken, which was the more despicable, as it had been possessed before by the British, and had many British inhabitants. But the expedition at Martinique had completely failed, and that by an inadequate plan, which, on the part of the ministers, was shamefully conducted: The fault, he would repeat, was not the fault of the general, or the officers, or the men, but of the minister, and so it would appear, when a proper inquiry came to be made into the subject. The whole of the plan of the ministers in the West Indies, as well as their plans in Europe, were inadequate to the ends proposed, and had consequently failed. Whether we looked at home or abroad, the conduct of ministers had been one uniform system of negligence, in regard to the interests of their country, its honour, and its dignity; and hardly any thing was to be seen to arise out of it, but disappointment and disgrace; and when they came to answer to those charges, he wished, for the honour of the British character, so long renowned for bravery and

friendship or personal interest. If there existed a party in this country which manifested a wish to lower the monarchical power, that party would be defeated by not rendering that power odious by a wicked and dangerous extension of the prerogative of the crown. Let the Commons prove true to the people, and the people would remain obedient to the Commons. We have no invasion to fear, said Mr. Fox, but an invasion of the constitution; and the Parliament, which was its natural watchman, would regard with a tenacious and a jealous eye any measures calculated to destroy the balance of power in the Three Estates, by any unconstitutional extension of the prerogative of the crown. When the eyes of the world were turned to the Constitution of England, he implored the House not to suffer its admiration to cease, or to assist in permitting its noble structure to be defaced. Ireland, he said, was a free and imperial kingdom; though she may allow of foreigners at home, yet if they once crossed the Channel and arrived in this country, they must be considered as an illegal army, and Government could not, without the consent of Parliament, suffer them to remain in this kingdom. It was therefore incompatible with Magna Charta to oppose the motion of his Hon. Friend. The preamble of the Mutiny Bill, "Whereas a standing army in time of peace is against law," was always the same in war, as in peace—a clear proof that a distinction between peace and war with respect to the prerogative of the crown never entered into the contemplation of those who framed it. He pursued his subject, and entreated that the introduction of foreign troops on the present occasion, a measure perhaps not blameable in itself, might be qualified in some way or other, so as not to establish a precedent of right in the crown, and make the Bill of Rights appear to be considered as a successful usurpation, not, as it really was, an honest declaration. He called on the Gentlemen who had taken part with him in the debates of 1775 not to abandon their former sentiments, without well considering the importance of them. Let them reflect that the question was the constitution, and the weapon the army; and that such questions were not to be governed by nice points and distinctions, like common law cases. If there was any cause of alarm from any internal party hostile to the constitution, which he did not believe, the true way to combat such men was to shew practically that they were wrong: To prove that the House of Commons were virtually, if not literally, the representatives of the people; that they were vigilant for the interests of their constituents; that they were as much on their guard against the encroachments of prerogative as against those of any too popular party;

thus men whose meritorious services deserved better were superseded, unless they could raise money to purchase that to which their services gave them a fair claim; and he was confident that when the account came to be wound up and closed, the public would not gain by this plan; and although, considering the thing in itself, it might be fair thus to raise the men for the purpose of saving expence, yet in its principle it was extremely censurable, inasmuch as it was clearly unconstitutional to raise men for the public service, without the express consent of Parliament; and if economy was the object of our ministers, instead of bidding defiance to the constitution, which they daily praised, they should look around them, and they would see a long list of useless places that might be sold, and the produce brought into the public purse. The last point, which he meant to advert to, the Major said, was the enormous and unprecedented expence of the Staff, which exceeded by many thousand pounds the expence of the Staff at the most brilliant period of British annals. It amounted at present to the sum of 97,000*l.* per annum—a sum exceeding by 20,000*l.* a period when the wars of this country were guided by the late Lord Chatham, and being much beyond any period of the American war. From all these facts, it was clear that ministers paid no attention to economy, but pursued plans improvident in themselves, and utterly inadequate to the object proposed. He concluded with observing, that although he could not acquiesce in the estimate of the extraordinary on the table, he must from necessity vote away, to a vast amount, the money of his constituents; nor had he any satisfaction from the success of the application of the last burden they had borne; yet he might go away with this chilling, this miserable reflection, that he was voting away their property upon that which would not benefit any honest individual in this country.

Mr. Jenkinson said, as the subject might be agitated at a future opportunity, it would not be necessary for him to enter very much at large into this subject; and most especially the material parts of it appeared to be within a narrow compass. Two points would naturally suggest themselves for consideration: First, “Whether the campaign, as far as our military operations were concerned in it, had been successful or unsuccessful? Secondly, supposing any part of it to have been unsuccessful, whether that want of success was or was not attributable to Government?” Or, in other words, “whether any blame was fairly to be attached to ministers or not?” In the first place, he maintained that if the campaign had been successful, generally speaking *prima facie*, it was to be taken

that they deserved praise, and on the other hand, although the success had been general, yet there might be room for blame from the evidence of a particular act of misconduct. Considering their conduct in these points of view, he did not see that ministers had been to blame in any part of the campaign. It was obvious that in the course of this war we had employed in one year 10,000 men more than at any other period of the same length, and so far it was evidence of merit, because it appeared that ministers had been attentive to the public force. The siege of Dunkirk had next been alluded to. Upon that point he must admit, that Dunkirk was a considerable object to this country; but although a considerable object, it was by no means the highest object we had upon the continent. Mr. Jenkinson said, he would take a view of the siege of Dunkirk, and he flattered himself, could prove that the means taken to carry on that siege, were, under all the circumstances, the best that could have been adopted; for it must be remembered that, although we wished to take Dunkirk, yet that it was an essential part of our plan to divide the arms of the enemy. At that time it was held, that until Maubeuge should have been taken by the allied powers, Brussels was in danger; it was therefore essential to us that Dunkirk should be attacked then, if attacked at all, because, if not attacked then, the soil being marshy, it would be fruitless to attempt the attack at an advanced period of the season; and he was ready to allow, that if the means which were necessary for that siege did not arrive, and if those who had the conduct of it had remonstrated, and after that the cabinet of this country had insisted on carrying on the siege without affording the means which had been applied for, it would be on their part unjust and highly criminal: But he could answer for that which had passed between the General, who had the command of that siege, and the ministers of this country, that no such correspondence had taken place. If a remonstrance had been made, if it had been said, that the siege of Dunkirk was impracticable, or that in a military point of view it should not have been undertaken, the cabinet never could have thought of it. But let it not be imagined, that when he was defending Government from blame upon this occasion, he was casting any upon the illustrious person who was at the head of the siege. Every thing was done that could be done. The expedition had failed. But was it expected that we were never to fail in any thing we undertake, and that particularly at a time when some in that House were so strenuously insisting on the great strength and courage of the French? Our second object was the capture of Quefnoy; we took that, and we failed to take

take Dunkirk. With regard to the ordnance that was to have been employed at the siege, he had heard, and he believed it was expressly desired by the commander, that ordnance should not come down, until they had arrived at Dunkirk, for fear, in the interim, of its falling into the hands of the enemy. The consequence of which was, that the siege was unsuccessful, and the consequence of the siege there was, that we were successful in another quarter, the French were brought down from the Rhine and the Moselle, which weakened the enemy very much—an object, at that period, of the greatest importance to us and our allies.

He next adverted to our operations in the West Indies, and said, he was confident there was no cause for blame on ministers in that quarter. It was true that we did not succeed at Martinique and Gaudaloupe, but the plan for that purpose was nevertheless a good one, for at that time we had reason to apprehend, they were in the power of the aristocratic party. In the interval that had elapsed between their setting out, and their arrival at the place of destination, a revolution took place, and the democratic party had gained the ascendancy. When the forces had arrived, this was a circumstance that required prudence and discretion. The General at first debarked part of the forces; but, as soon as they found that no success was likely ultimately to ensue, but that, on the contrary, a great number of the men must, were the object to be pursued, inevitably have perished, they re-embarked them again. In fact, we had been betrayed, and treachery could not be foreseen nor guarded against, and therefore no blame was on that account ascribable to ministers.

Toulon, he said, was certainly an object with us, but when he was asked, why we did not send troops there to keep it, he would answer, that although Toulon was an object, yet it was not of sufficient magnitude, when held in competition with the chance of our taking the French West India islands, to outweigh that object. Besides, Lyons and Marseilles, as well as many parts of the south of France, were at that time favourable for an insurrection against the ruling power of France, and would have succeeded, had the Lyoneses been able to hold out as long as ministers had reason to hope they would; and therefore they were justified in thinking that our additional force might have been better employed in the West Indies than it could at Toulon, where indeed it could not have been wanted, but for the unforeseen surrender of Lyons.

The expedition of the Earl of Moira, he felt himself prepared to defend. Notwithstanding what had been said against

it, that expedition was well concerted, and the reason why it had not been tried, and probably why it would not have been successful, was, that the royalists did not endeavour to gain possession of sea-ports, previous to which it would have been impossible for us to send a sufficient force to that country, to give reason to expect success: And he appealed to the Gentlemen of the army, who were present, whether this were not undeniably the fact, and whether they did not in their consciences believe, that the royalists alone were to blame, and that the fault did not attach to the Earl of Moira or his army. Mr. Jenkinson added some general observations on the whole subject of his argument, and contended that the exertions of Government, during the whole of the campaign by sea and land, had been at least as great, as vigorous, and as successful, as at any other period. Sure he was that no blame was to be imputed either to ministers, officers, or men. But if any Gentleman should think proper to move for an inquiry, that would be the time to enter fully into the subject; and if such an occasion should offer, he would be ready to meet the question.

Mr. Drake, who had risen at the same time that Mr. Jenkinson did, desired that the question might be read. He then entered into a defence of the grounds of the war, and said, he wished to impress the House with those sentiments which they had just received from an Hon. Gentleman (*Mr. Hussey*): *a fortiori*, these sentiments were strong in his mind. There was no remedy for any circuitous talk, in his opinion, but interruption of the member. What he had heard was not irrelevant, but founded on the basis of good sense. The navy of England was our boast, our honour, and our pride; but the question was not, whether a supplemental force should be added to the navy of England in the prosecution of this *moral war*. All our force, Mr. Drake said, ought to be exerted against the formidable power of France; and the question was, whether we should act up to our professions, or relax in our exertions. He professed himself a zealot for the welfare of his country; a zealot for her success; and every thing that concerned her interests, he said, was near and dear to his heart. He would therefore give it a disinterested, cordial, patriotic, zealous, and dutiful support. He said, he admired economy, but this was not a subject to which we ought to apply it.

Major Maitland rose to explain; and shortly stated, that he had complained of the conduct of the cabinet, and he had been answered, that the conduct of the cabinet was wise. He reminded the House, that he had expressly said, that it was not of the British generals or the British troops he complained; he

he believed they had done, and he believed they would do their duty, but they had been placed in a situation where gallantry and merit could be of little use to their country. With regard to Dunkirk, it was said that the possession of it was desirable: He did not conceive that the possession of Dunkirk was particularly desirable, nor had he so argued it; he had stated that the siege was improperly carried on, and that assertion had not been answered. It was said that orders had been given, that the ordnance at the siege of Dunkirk was not to be moved until the Duke came for it, for that it might have been taken by the enemy.—Certainly it might:—But if it was not ready for him when he came up, how was he to make any use of it?—There was another part of the siege of Dunkirk which had not been mentioned, that of letting four insignificant French gun-boats come out, and our not having a single vessel at the time to take them.

The Major added to his observations on the conduct of the campaign in the West Indies, particularly the attempt on Martinique, and the expedition of the Earl of Moira, and still maintained that the whole of the campaign had been unsuccessful and disgraceful to us, on account only of the conduct of our ministers.

Mr. Hussy said, he could not allow ministers the credit they claimed for raising more men than had been levied in any former war. He declared, that his wishes were not for conquest, but for a safe and honourable termination of the war in which we had unfortunately been involved. The minister himself had called for the vigilance of the House over the expenditure of public money. Was not the direction of the force, for which money was voted, a subject equally important, and over which the House ought to be equally vigilant? He was sick of the war on the continent, in which he was persuaded every exertion, as far as we were concerned, must ultimately fail. He called upon the Right Hon. Gentleman at the head of Administration to tell the House and the country, distinctly, what was the real object of the war, and what he hoped to obtain by persevering in the war on the continent, and what probability there was of obtaining that object? These points satisfied, he would give his assent to the measure proposed.

Lord Fielding replied to that part of *Mr. Jenkinson's* argument, in which he had contended that the Generals who commanded the expedition against Dunkirk having made no remonstrance that the means afforded them were inadequate, ministers were therefore exempt from blame. What authority, his

his Lordship asked, had the Hon. Gentleman for saying, that the Generals were satisfied with the means promised them, or that all the means had been afforded which were promised?

Mr. Jenkinson in explanation said, he did not mean that Generals were answerable for all the details of every particular operation they undertook, much less if Government neglected to furnish them with all the aid that was promised. *Mr. Jenkinson* said, as none of the officers employed in the enterprise against Dunkirk had ever stated that the force entrusted to them was inadequate for the purposes for which it was intended, no responsibility could possibly attach upon ministers, though the expedition had failed.

Captain Berkeley said, the army estimates being the subject of the debate, he was not prepared to speak on the ordnance. To one remark, however, he could make some reply. If his information was right, the ordnance for the siege of Dunkirk was required to be at the place of its destination between the 21st and 24th of August, and it actually arrived on the 24th. He was sorry that Sir Charles Grey, whose force had been represented as inadequate, was deprived, by the campaign in the House of Commons, of the services of an officer (Major Maitland) whose talents might have contributed so much to the success of the campaign in the West Indies.

The Chancellor of the Exchequer said, he was happy to find that there was no direct opposition to the question; and as all the collateral topics of debate were announced as matter of future and more formal discussion, when the sense of the House might fairly be taken with respect to the conduct of his Majesty's ministers, he should touch but very briefly on them at that time; a line of conduct which temporary indisposition would oblige him to pursue, were he otherwise inclined. To the Hon. Gentleman (*Mr. Hussey*) who had called upon him so pointedly, he must answer, that he could not enter into any detail of the intended operations on the Continent; but that, looking at the general character and description of the war, looking at the internal state of France, upon a change in which more than upon any other circumstance must the possibility of a safe and honourable peace depend, he could say that a naval war would prove inefficacious, because it would not bring that immediate pressure upon an enemy, which was necessary to accelerate the prospect of peace. France, he said, had committed and was persisting in the commission of suicide on her own commerce. She was not only careless of her colonies, but it seemed to be her system to destroy them and her commerce. Let Gentlemen but recollect what were the causes
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which led to the war. They were, first, the encroachments made, and attempting by the French on the territories of other powers, to restrain which had, in all former times, been held to be the policy of Great Britain. The next, which was in fact for our own commercial and maritime safety, proved that the continental war was necessary. The French had over-run the Austrian Netherlands, and threatened Holland with an invasion. If we suffered them to add port to port, and commerce to commerce; if we suffered them to possess themselves not only of all the ports and means of naval and commercial force which Holland afforded, but also the intermediate ports of the Netherlands, however safe we might think ourselves from immediate attack, what prospect could we look to of future security? To save Holland from an invasion, and to recover the Austrian Netherlands, the only barrier for Holland against the force of France, were true British objects—objects in which Britain was as deeply and as immediately interested, as the Emperor himself. But to obtain these objects, he would appeal to the judgment and the candour of every reasonable man, if it was not necessary to undertake a continental war.

During the first campaign of the war, whatever judgment might be formed of it, or whatever epithets might be applied to it by others, he should contend, we had been eminently successful, although not (as what campaign of such extent ever was?) without some important failures and reverses. The argument to be deduced from this would militate directly against the conclusions of the Honourable Gentleman; for all those reverses had been owing to the inadequacy of the force brought into the field against a people, who did not carry on war by levying and equipping armies like other powers, but who might rather be considered as an *armed nation*. If any argument was to be built upon this, and he was aware of the use some Gentlemen might make of it, it would not serve their purpose, because it would be found too much for those who would urge it against the continuance of war; for either it was impossible we could succeed in bringing any force adequate to our object, and then all must be despair, a sentiment which he believed not many would be brought to harbour; or else, if they could not bring the country to this conclusion, they only proved the necessity of making still more vigorous exertions. He would ask Gentlemen, whether the interests of this country would have been better consulted—would the protection of Holland and the recovery of the Netherlands have been more effectually promoted, if we had not had 30,000 men in Flanders? Our hopes then were, that we should be able to make greater exertions in
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the second campaign, than we had done in the first; and that having made some progress already, our future progress would be greater, more rapid, and decisive, because we should start with superior force, and from better ground. The ground from which we were to start was better, because the French were driven from all their former conquests on the Rhine; and although they had again been unfortunately able to over-run part of that country, they had been prevented from seizing on Mentz, the key of Germany in that quarter. They were driven out of the Austrian Netherlands, and instead of having to begin the campaign with some of the strong places of Holland taken, and others on the point of falling, we should begin it with several of the strong fortresses of the French frontiers in the hands of the Allies.

The Chancellor of the Exchequer said, he did not claim for himself the exemption stated by his Honourable Friend (Mr. Jenkinson), that when Generals did not remonstrate that the force given them for any object was inadequate, they, and not Ministers, were responsible for miscarriage. He thought it would be more correct to say, that in such case, Generals would become jointly responsible with Ministers for miscarriage. What degree of blame might attach to a General and what to Ministers, on this supposition, it would be rarely fit to discuss, unless the miscarriage had been of such magnitude, as to render the inconvenience of avoiding inquiry, as great as the danger to be apprehended from discussion—and in time of war how great that danger was, he needed not remind the Committee. But when Gentlemen said, that the expedition against Dunkirk was undertaken contrary to the opinion of the illustrious Prince who commanded it, or that the force employed in it was in his opinion inadequate, he must tell them that their information was diametrically the reverse of the fact. The acquisition of Dunkirk, at a time when the object was to make as great and as general an impression as possible upon the enemy's frontier, every Gentleman would allow was important. It was not, however, so important as to supersede other operations, and divert the force at the disposal of Ministers from other purposes, which they might think of still higher importance. He was ready to avow that, as one of his Majesty's Ministers, he had advised the expedition against Dunkirk, believing not only that the place could not resist the force that was sent against it, but also that the French could not, by any probable exertion, collect a force sufficient to relieve it. That he was deceived in his hopes, was but too true—whether he was to be blamed for advice from which he would not now shrink, it would be for the House to consider and decide, if they should think fit to

go into the inquiry, of which notice had been given. When the motion for inquiry came to be debated, if such a motion should be made, he should contend that there was no ground laid for inquiry, and that, even if there were, the danger to be apprehended, far out-weighed any advantage that could possibly be expected from it. If he were conscious of an error, he should not be ashamed to own it, as, on so complicated a subject as the direction of a war, who would have the presumption to say, that he should never err? but so far was he, then that he had had the aid of experience to inform his judgment, from being conscious of any error in the advice he had given, that he had no hesitation to say, that under the same circumstances he should give the same advice again. To the very respectable Nobleman at the head of the ordinance, he owed it to declare, that no exertion that could be made in the department over which he presided, had been omitted. The French gun-boats, of which so much had been said, had in point of fact contributed nothing to the failure of the enterprise. The true cause of the retreat was, that the covering army was attacked by such superior forces as even the able conduct of the officer who commanded it, could not resist. Both the time and the manner of that retreat were highly honourable to the Prince by whom it was directed. In the ardour of youth and courage, to relinquish a favourite object, and to mark the precise time when to relinquish it became necessary, was, in his consideration, the highest proof of merit.

Respecting the conduct of the war in other parts, all he desired to know was, what more ministers could have done with the force they had at their command? On this he would rest the whole of their merit or demerit. When the force at Toulon and the force ordered thither were known, he should be ready to discuss the conduct of ministers respecting the defence of that place, if the House thought fit. All he should then say was, that although they considered retaining possession of Toulon as of importance, they did not hold it to be so important as to give up, on account of it, the expedition to the West Indies. They had ordered such a force for the defence of Toulon as they conceived to be sufficient, and he did not even then think that it would have been justifiable to forego the expedition under Sir Charles Grey. They afterwards diminished the force intended for that expedition, for reasons, which it was not then proper to explain. Such as it still remained, they thought it adequate to the service for which it was sent; and neither zeal nor talents would be wanting on the part of the officer who commanded, to render

it successful. With respect to the force collected under the command of the Earl of Moira, it was idle to discuss the merits of an expedition, if so it might be called, which had been only projected and was now laid aside. All he should say was, that ministers had not the means of attempting such an expedition at an earlier period; and that they were justified in planning it at the time they did. How the troops collected for that plan might be now employed, he certainly should not explain.

To return to the subject of Toulon (for on such occasions it was difficult to refrain from saying more than was at first intended); in the defence of it, while it could be defended, and in the evacuation, when it could be defended no longer, the officers who commanded had great and extraordinary merits. The obtaining possession of it depended on the excellent condition of the fleet sent into the Mediterranean, and the admirable conduct of the officers who commanded it. Had it not been for this fortunate combination of circumstances, the fleet of the enemy, sometimes superior in point of numbers, could not have been blocked up in the port of Toulon, and that degree of famine produced, which was the primary cause of the surrender. After the tower and forts were occupied by the small force then at the disposal of Lord Hood, such exertions for maintaining the place were made, as he was astonished to hear a member of the British army, even inadvertently, for he was sure it could only be from inadvertence, represent as disgraceful to the British arms. When it became necessary to evacuate the place, let Gentlemen call to mind the circumstance against which that operation had been effected; let them suppose a great town to be abandoned, a large garrison to be embarked, and the inhabitants, in consternation and dismay, to be taken away, while the enemy had gained such advantages in various quarters, as enabled them to threaten the town itself—Let them suppose all this performed in the face of an enemy; the garrison embarked; as many of the inhabitants as chose, to the amount of many thousands, taken on board the ships; and all without the loss of a single man, which could hardly have been hoped in a peaceable embarkation of the same extent, on the river Thames.—Let them then add the destruction of the enemy's ships to such a degree, as to form the greatest blow given to the French navy at any period—and then would any man say, that the officers who conducted those operations, had not displayed courage and conduct highly creditable to the British name?

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and that they were not entitled to every honourable mark of commendation and applause?

Sir James Murray rose to set Captain Berkeley right in a particular in which he appeared to be mistaken. *Sir James* said, the Honourable Gentleman was misinformed with respect to the arrival of the ordnance for the siege of Dunkirk. It ought to have arrived between the 20th and 22d of August, and it did not arrive till the 26th or 27th. The loss sustained by the fire of the French gun-boats was not such as had been reported, and had no material effect in raising the siege. The enemy, notwithstanding the support they might expect from their gun-boats, were driven back into the town as often as they attempted a sally. The sole cause of raising the siege was the defeat of the covering army by a superior force, an accident that had more than once happened to an army more numerous, and to the best-disciplined troops in Europe. The retreat was made in the best order, although in the night, and nothing was left behind that it was possible to bring away. The resolution to retreat was taken, and the orders given, in the most cool and deliberate manner, by the Duke of York; and by the dispositions made after it, the French were repulsed at Ypres, Menin was retaken, and West Flanders saved. He agreed that the great theatre of war was at Maubeuge and Quesnoy, for on that part of the frontier it was that a strong and effectual impression must be made.

Mr. Fox said, that although a future discussion was promised, some sentiments had been delivered, on which he must remark, while they were fresh in the memory of the House. He agreed perfectly with the Honourable Gentleman (*Mr. Hussey*) who had opened the discussion, on the propriety of the time he had chosen for making his observations, as well as on the propriety of the observations he had made. According to the best practice of the best times, it was in point and in order to consider the ability of Ministers to direct to the most beneficial effect that force to pay for which they were about to vote the money of their constituents. He was glad to find Gentlemen on the other side of the House so much pleased as they professed to be with the successes of the campaign. If it were possible to talk with levity of the situation of Europe, which he considered as highly disastrous, or more alarming than disastrous, he should congratulate the House on the issue of a campaign with which all parties engaged in it were pleased. We extolled the success of our armies; so did the French that of theirs. We applauded the evacuation of Toulon as a most fortunate event; the French celebrated the same event

by public festivals—So that Ministers and they might meet and join in one common jubilee. Unfortunately for him, however, he could not participate in these rejoicings, whilst he saw Europe brought into a situation melancholy and afflicting to every man who possessed the least spark of justice or humanity.

From the time at which Parliament was prorogued, when the advantages we had obtained were set forth in terms as vaunting as they could well bear, we had seen little success and much defeat. When he knew that all the latter part of the campaign had been uniformly unsuccessful; when the successes of the early part, instead of conducting, as might have been expected, to new successes, had only led to disaster and disgrace; he augured but ill of the future, as every rational man must augur. He could neither agree with the Honourable Gentleman (Mr. Jenkinson), nor with the Chancellor of the Exchequer, who had corrected him on the subject of responsibility. Instead of resting wholly with Generals, or jointly on Generals and Ministers, it lay wholly with Ministers in the first instance. There was, or ought to be, a military man in the cabinet, and he supposed the Commander in Chief held that situation now, on whose information and advice, Ministers were to decide both on the propriety of undertaking expeditions, and the force requisite for such expeditions. They might have much information respecting which the officer appointed to command in any expedition might be ignorant; consequently they, and not he, were to judge of the force necessary; and his acceptance of a command with an inadequate force, was no justification for them. If he knew in that House, that an officer had misconducted the force entrusted to him (and he hoped no man would be so uncandid as to suppose what he said to have any particular application), he would charge Ministers with the blame in the first instance, because it was their duty to employ none but proper persons. When they were put upon their defence, they might shew reasons for the choice they had made, and in proportion to the validity of those reasons, would they be exculpated. He did not pretend to know whether the Commander in Chief of the combined army, and the illustrious Prince who commanded the troops sent against Dunkirk, approved or disapproved of the expedition; but this he knew, that if, on the general inquiry into the business, it should appear that it was undertaken contrary to the judgment of such professional men, the circumstance would form a strong aggravation of the charge against Ministers.

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The Chancellor of the Exchequer had said, that the defence of Toulon was not to supersede the expedition to the West Indies. In one point of view, the defence of Toulon was paramount to the capture of all the West India islands, for it was to preserve the faith of the nation solemnly pledged to the inhabitants, who had put themselves under our protection. We entered Toulon by treaty, not by conquest, as the ally of Louis XVII. in conjunction with the King of Spain, to whom the place was as much surrendered as to us; and on the express condition of restoring to the inhabitants who admitted us, what they called their constitution of 1789; although he heard that the part of the treaty to which he alluded had been broken by our subsequent proclamations. We got possession of the ships and stores in trust for our ally Louis XVII. and after that, to boast of destroying them as the ships of an enemy, was a perversion of terms. He admitted, that when they could not be defended, we had a right to destroy them, or, what was still better, to bring them away, in order to prevent their falling into the hands of those who were the enemies of Louis XVII. But this was to be lamented as a misfortune, more especially if any considerable part of them did fall into the hands of his enemies, not vaunted as an instance of extraordinary success. Let Ministers hold to Louis XVII. or his representative, if he had any; let them hold to French Royalists the language they held to the House, of preferring an expedition to the West Indies to the defence of Toulon: Let them say, "We have got possession of a port and a fleet in trust for you; but we must take your West India islands for ourselves; we cannot attempt the one without endangering the other; and we prefer taking what we mean to keep at all events, to defending what we must restore to you, when reinstated on the throne of your ancestors;" and see with what cordiality and gratitude it would be received. If seating Louis XVII. on the throne of France was the object to which Ministers looked as the means of peace, they ought to have sent the whole force at their disposal to Toulon, if necessary, in preference to every other expedition, on motives of common policy, much more on the strongest of all motives, that of good faith.

He had often heard, as he had heard that day, that all the inhabitants of Toulon, who chose it, were taken away by the British fleet. Was it not true, however, and notorious, that hundreds, nay thousands, of the unfortunate remainder, had glutted the vengeance of those whom they had made their implacable enemies by the confidence they reposed in us? If it should be said, that these victims preferred staying to be brought

brought away, that would contribute little to reconciling them to our conduct; for what must our treatment of those men have been, what opinion must they have formed of us, who preferred the fury of avowed enemies to our protection?

It was insinuated that Toulon had been taken by blockade, by famine, by skilful exertions in opposition to a superior fleet. He had always understood that the officers of that fleet were willing to treat with us, not on account of famine, but their detestation of the French Convention. That fleet, said to be superior to ours, Admiral Truguet, who commanded it, had long before represented as in a condition unfit to act; and Admiral Trogoff, who commanded at the time of its surrender, had at this time a command with us, he supposed in the service of Louis XVII. His Honourable Friend, who had entered into a general discussion of the war (Major Maitland) in such a manner as induced all his opponents to postpone answering him till a future day, had been said to derogate from the merit of the troops employed at Toulon. Nothing but misrepresentation too gross almost for belief, could extort from expressions which his Honourable Friend applied exclusively to the conduct of Ministers, the idea that the troops had not done their duty in the most meritorious manner. It was next said, that while Lyons was able to hold out, when Marseilles was ready to revolt, when the whole South of France was desirous of throwing off the yoke of the Convention, no danger was to be apprehended at Toulon; and that if Lyons had held out, Toulon would not have been taken. Just such were the hopes held out in the American war. In one place the people had risen against the Congress, and in another they were ready to declare for us, whenever a sufficient force to protect them should appear; in some places they behaved better, in others worse; but in none did they enable us to succeed. In the South of France, when Toulon was in our hands, Lyons in open revolt, and all Marseilles discontented, in none of the adjacent provinces did we find the people rising in our favour. If they did not rise then, what prospect had we that they would on any future occasion? In the opinion of all men acquainted with the extent of the posts to be defended, 15,000 men was a very inadequate garrison for Toulon, more especially when that number was composed of different nations and under an undefined command. Although valour was the growth of every clime, it was well known that troops of different countries acting together were never so efficient as an equal number of troops of the same state; and so undefined was the command, that General Dundas did not know,

know, after the capture of General O'Hara, whether he or the Spanish General was Commander in Chief. If success was, *primâ facie*, some proof of merit, want of success must, by parity of reasoning, be a presumption of demerit, and while ministers claimed for themselves the advantage of the one, they must take the consequences of the other. Surely the House might inquire about the conduct of a minister who said it was fit to assist the Royalists, yet neglected all the summer to assist them, then put a force under the command of the Earl of Moira, to form which he crippled another expedition, and found, when he had done so, that it was too late to assist the Royalists. The minister said, he could not plan the expedition under the command of the Earl of Moira sooner, but that it was fit to be done at the time he did it. Mr. Fox said it was unfit to be done, for it had produced no one good effect, but, on the contrary, two obvious bad effects: It had weakened the expedition to the West Indies, and it had prevented such a force being sent to Toulon as might have defended the place. He wished these were all its bad effects; but what lesson did it teach the French? When coupled with the evacuation of Toulon, it taught every Frenchman to distrust the offered protection of the Allies, who were shewn to be neither able to aid nor defend; and whatever might be his wishes, impressed deeply on his mind the necessity of submission to that tyrannical government, from whose vengeance the Allies could not screen him. The motives for collecting the force under the command of the Earl of Moira, and the motives for keeping it unemployed, he contended were both fit objects for inquiry. To this the only answer was, the common cant of every minister—the danger of inquiry in the time of war. His reply was, that in every country the constitution of which admitted enquiry into the conduct of ministers (and it was the pride of our constitution to be most favourable to it), the administration of public affairs had been improved in proportion as the right of inquiry had been exercised. Did the inquiries promoted in the House of Commons during the American war, do harm? Was it not true that they did much good; and towards the conclusion of it, ministers being rendered more attentive to their duty, the most glorious successes of the whole war were achieved? "If peace," said Mr. Fox, "be the object which ministers have in view, and if they consider the destruction of the present ruling power in France as an essential preliminary to peace, although that is far from being my opinion, the importance of every operation is in their minds to be measured

sured by the degree in which it may conduce to this great end, If this, as they seem now to admit, cannot be accomplished without the aid of the French themselves; one province, one district, gained by the good will of Frenchmen, and capable of being maintained, will conduce more towards it, than twenty towns, and ten times as much territory conquered by the arms of the allies. (Mr. Fox said) "Whether or not this was possible in La Vendée, I do not know; but ministers thought so, and on their own principles, assisting the Royalists ought to have been with them the most important of all operations. They have let slip one opportunity, I fear never to have another.

"One expression I have heard, so alarming, that I cannot suffer it to pass unnoticed. The Right Honourable Gentleman tells us, that we are not at war with a people of ordinary exertions and resources, but with an *armed nation*. Is this so?—If it be, he says, it would be an argument for despair. If we are waging an offensive war, a war of conquest, I say too that is an argument for despair—God forbid it should be otherwise. The cause of liberty, of justice, of humanity, requires that it should be so. If such a combination as is now leagued against France were attacking the independence, the constitution, the civil liberties of Englishmen, would the navy we have voted, or the army we are going to vote, be thought sufficient? Would 60,000 of her sons be all that would take up arms in defence of Britain?—No—we should arm as one man, we should have but one sentiment, to conquer or to die; and on this principle I rejoice that an armed nation is invincible. The same reason that makes an armed nation invincible in defence, renders it in attack quite the contrary. The desire of conquest can animate but a few, and they will be opposed by the same principle of resistance in their attempts to conquer other countries which enabled them to defend their own. The French, therefore, will not succeed in their attempts at conquest if they have not abandoned them, and we might make peace with them in full as much security, that it would be permanent, as we ever had at any former period. If in former times we had said, that we would make no peace with France without a change of that government, which we knew to be hostile to our own, we should have been at war for more than a century. What are the dangers we have now to dread from France more than those we have actually experienced and repelled? An Honourable Friend of mine has said, that when a danger rises to a certain magnitude, all beyond that becomes of no account, because we already see what we dread more than loss of life. Now, what was the danger from which we were delivered in the days of the
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the Pretender? A powerful foreign despot attempted to seat on the throne a Prince, whose right we had abjured; to overturn our constitution, and establish an arbitrary government; to subvert the Protestant, and introduce the Roman Catholic religion; in one word, to ravish from us all we held most dear, and force upon us all we most abhorred.—Yet we never went into the extreme of saying, “We will make no peace with the government that has attempted this; we can have no security while a ruling power exists, whose principles are so hostile to ours.” Sorry am I to find such sentiments entertained now; for if France be an armed nation, we may accelerate the calamities we dread, but we shall not conquer France. I shall perhaps be told, that, if France has become an armed nation, it may be necessary for us to do the same. We shall not become an armed nation in order to carry on an offensive war. If unfortunately we should ever be driven to fight on the same terms as the French have been, we too shall become an armed nation, and like them be invincible.”

The Chancellor of the Exchequer rose to explain that expression which he had let fall in his former speech, stating France to be an armed nation, which he considered the Right Honourable Gentleman who spoke last to have misunderstood. He meant only to say, that from the present horrid system of force and compulsion used in that country to collect an army, they had a larger mass of armed men than they could have had by any other means; and that to this mass of numbers they owed every thing like success which they had obtained. When he mentioned them as an armed nation, he by no means meant to go along with the Honourable Gentleman, and say, that the whole nation was either armed or united; on the contrary, he was of an opinion directly the reverse. He thought, with his Noble Friend who stated it on the first day of the session, that much the greater part of the people of France were so far from being united to defend the present system of tyranny which prevails there, that a majority of them were as much averse to that system as it was possible to be; and from this conviction he inferred, that the comparison between the strength of France as an united armed nation; which the Honourable Gentleman rejoiced to think they were, and the probable effects of such united force and sentiment in England if it was attacked, could in no degree hold; for to make good that comparison, it must be made out, that unless the people of France like and admire every species of enormity, horror, and guilt, and are united in that system, England, if all Europe was leagued against her, would not be sensible of the many blessings that she enjoys, or ready

when it was necessary for every public man to speak out. Misrepresentation made it so, and he was ready to do it. A limited monarchy and an independent House of Commons were what he wished for, because he considered them to be the true principles of the constitution. If any invasion of the constitution had taken place, it had come from those who ought to have defended the constitution. Not to mention other things, the erection of barracks all over the country was a measure, which, four years ago, no minister, he believed, would have ventured to defend.

The resolution was read and agreed to.

On another article of the estimates,

Major Maitland observed, that great credit was assumed by ministers on the expedition with which they made new levies. The fact was true; but the public ought to know the manner in which they raised men. Government allowed 5*l.* bounty for each man, and out of a fund raised by the sale of commissions, 10*l.* more was paid, making 15*l.* bounty for every man. Thus they added to the list, a number of supernumerary officers, and were in fact borrowing money for the public by annuities of the most disadvantageous kind. A second Lieutenant-Colonel and a second Major to each regiment were merely added for no reason but the money paid for their rank. It was, in his opinion, unconstitutional to raise money, even in this way, without the consent of Parliament. But it was certainly fair, that if more men than usual were raised, the public should know that more money than usual was paid for each.

The Secretary at War said, the men already levied, were not raised by the regulation alluded to, which was too recent to have yet produced much effect: 11,000 men had been raised by Independent Companies, and if the other mode should succeed as well, it would add such a number of men to each regiment as would make a second Lieutenant-Colonel and a second Major necessary.

Major Maitland explained his former arguments, and contended, that the mode of selling rank for the purpose of levying men was unprecedented, and raising money by annuities in the very worst way.

M^r. Sturt said, it was a wise mode, generally approved of in the army, and very economical; and perhaps the Honourable Gentleman might have availed himself of it to get a step forward in his profession.

Major Maitland said, when he animadverted on a measure as a member of Parliament, he did not expect to be answered by

a peer

a personal allusion to himself. He had, it was true, availed himself of the mode in question, to get forward a step in his profession, because he knew that, without availing himself of this or some such opportunity, his military situation must remain the same as long as Gentlemen on the other side of the House continued to sit where they now were.

Colonel Macleod asked, whether or not the officers of the regiments in India were to have the same opportunity of getting rank by purchase, as the officers of other regiments.

The Secretary at War at first gave no answer; but on the question being repeated, said, he did not know.

On the article for the pay of the Fencibles;

Colonel Macleod said, the Right Honourable Secretary for the home department had promised a militia for Scotland, early in the last session of Parliament. He had brought in a bill for that purpose in June, and moved that it might be printed, in order to be sent to Scotland for the consideration of the several committees. He had not obtained nor met with a single copy of the bill in question, in Scotland, and therefore he supposed it was dropped entirely. If it had been printed, he was an unfortunate Scotchman however not to have seen it. He supposed that not only Scotland was to have no militia, but the fencibles were to be weakened, for he understood that Gentlemen who were to raise new regiments, were allowed to take men out of the fencibles.

Mr. Secretary Dundas said, if the Honourable Gentleman had been so unfortunate as not to have seen the bill, he was the cause of his own misfortune, as he might have carried it with him to Scotland; the bill having been printed not expressly for the purpose of being sent into Scotland, but for the use of the Members of the House. He added, that he had never heard that men for the new regiments were to be taken from the fencibles.

The report from the Committee of Ways and Means was brought up, and agreed to.

CATHOLICS.

The Solicitor General reminded the House, that when he brought in a bill some sessions since, for the relief of the Catholics, it had been doubted whether or not they should be exempted from the double assessment to the land-tax. The sum raised by this double assessment was inconsiderable as an object of revenue, and he thought the House would be happy to abolish so odious a distinction. He therefore proposed, that in the land-tax bill, the clauses subjecting Roman Catholics and others who refused

to

to take certain oaths to double assessment, should be left out. This was unanimously assented to.

The Attorney General brought in the bill to prevent property in this country belonging to persons resident in France from being applied to the use of those who exercise government in France; which was read the first time, ordered to be printed and read a second time on Thursday next.

MOTION FOR AMENDMENT OF SCOTS CRIMINAL LAW.

Mr. Adam said, he rose to perform the duty which he had undertaken towards the close of the last session of Parliament relative to the criminal law of Scotland, and the practice of the Court of Justiciary. The House would recollect the notice he had then given and renewed with some alteration in the present session. Whatever opinion might be formed of the proposition he meant to submit to the House, he hoped for indulgence and a candid construction of his motives. And if there were no other reason for it, he trusted, he might claim it, because it was nineteen years since he had the honour of sitting in Parliament; and although during that period he had often troubled the House on the different subjects under discussion, that was the first time of his bringing forward any proposition of his own, and he promised to take up as little of their time as possible. He said, he had given the subject he was about to submit to the judgment of the House the most deliberate consideration; and perhaps the best mode of explaining it to the House, would be to detail the history of it as it stood and had passed in his own mind. He had occasion to bestow much reflection on the Articles of Union, and the history of the period at which they were concluded. He had been led to the subject of his intended motion by the discussion that had taken place on the Treasonable Correspondence bill, and by a recent decision in the House of Lords. Here he begged to be understood as not out of order, in alluding to what passed in the House of Lords, as he was speaking of them in their judicial, not their legislative capacity. He had been professionally employed in that House on a question that came before it, whether or not an appeal lay from the judgments of the Court of Justiciary and Circuit Courts of Scotland, on matter of law only, not matter of fact. An appeal was made last session from the judgment of the Court of Justiciary in a criminal case, that of Robertson and Berry. Some Lords thought in the first instance, that the question was already decided and at rest; while others were of opinion, that as this was a case of misdemeanour, a term he used for the sake of perspicuity, although
not

not the term of the Scots law, it was not concluded by the former decisions which were no capital cases, and therefore that argument should be heard upon it. It was argued accordingly before a Committee, and the present Lord Chancellor, Lord Thurlow, and Lord Kenyon, delivered their opinions *seriatim* that no appeal lay. Lord Thurlow said, that although this was strict law, as the law now stood, he regretted that it was so, and that, in his opinion, a parliamentary regulation was necessary. On these grounds, he had thought it his duty to bring it forward for the consideration of the House.

He was next to consider, whether there was any just foundation on which to proceed. He was supported by the 18th Article of Union, which said, that the law of Scotland respecting property should not be altered, unless on some very urgent occasion, but that the public law or laws of police, that is, the law in criminal cases, might be altered. Soon after the Union, the laws of Scotland affecting cases of treason were assimilated with those of England; the mode of trial, the redress after trial, the whole treason law of England, from the statute of Edward the IIIrd, were incorporated in the Scots criminal code.

Ten other acts of Parliament had passed since the Union, amending the Scots criminal law, particularly the act for abolishing hereditary jurisdictions. These precedents were sufficient to shew, that he had a good foundation, to proceed upon, if he could make out the policy of the measure.

With regard to the mode of proceeding, he should endeavour to make it the same as by writ of error in England. In writ of error there were three distinctions. In civil matters, it was granted of course. In cases of misdemeanour, application was made to the Attorney General, and he, considering of the grounds of the application, and deciding judicially upon them, granted the writ of error *ex debito justitiæ*, or refused it. In capital cases, it was to be obtained only by petition to the Crown. Mr. Adam said, he wished to follow the same rules with respect to Scotland, and to give to the Lord Advocate the same judicial discretion which the Attorney General possessed in England. In order to remove and bring up the record, so as to bring the whole matter of law before the House of Lords, some regulations would be necessary in the proceedings of the Scots Courts; respecting the mode of giving in the verdict and making up the record; but this would be no unprecedented innovation, for it was once the practice in these Courts to enter the whole of the evidence on the record, a practice which was now laid aside.

He disapproved of the practice of the jury giving a written verdict; he thought it much better for the furtherance of justice, that a verdict *ex viva voce*, as in England, should be adopted in its room; for often much benefit arose from the verbal communication between the Judge and Jury. He proposed that the indictment, the verdict, and sentence, should be removed by writ of *Certiorari*, or by writ under the Great Seal, to the Court which should have the appellate jurisdiction. With respect to the propriety of this amendment, Mr. Adam said, he thought there could be little doubt. In civil cases, although no provision was made for it in the Act of Union, an appeal from the Lords of Session in Scotland to the Lords of Parliament, was held to be the natural consequence of the Scots Parliament no longer existing; and this was now law. If it had been foreseen that there could be no appeal in criminal cases, he was sure that express provision would have been made for it in the Act of Union. The reason of it was to be found in this grand and general principle, that the court in which a case originates shall not be the ultimate court to decide. This principle, which human wisdom had set up as a guard against human infirmity and human error, pervaded the whole of the English, and with this single exception which he wished to remove, the whole of the Scots law. So general was it, that if by an act of Parliament new jurisdiction were given to any Court, the decision of that Court would not be final without express words inserted in the act to make it so. In all civil cases, there was an appeal from the Courts of Scotland. In all criminal cases there was an appeal by advocacy from inferior Courts to the Court of Justiciary.

The only objection he could imagine was, that it would be bringing matter of law before a tribunal not acquainted with the Scots forms of proceeding. This would apply more forcibly to the appeal in civil cases, for in criminal cases the trial was by jury, and the proceeding much more similar and analogous to those in England. It could be considered as no reflection on the Scots judges, for if it were, the proceeding from court to court in England would be, what no man ever conceived it to be, a constant reflection on the English Judges. It would lead to accuracy in receiving evidence and making up the record, so essential to the ends of justice; and it would open to the Scots lawyers all the valuable repositories of English criminal law, and make them familiar with those great lights of criminal jurisprudence, Hale, Hawkins, and Blackstone, and that valuable repository of criminal law, the State Trials. What he proposed, Mr. Adam said, was no novelty, for it stood upon pre-

precedent; it was within the meaning of the 18th Article of Union; and it was founded on the principle he had already quoted, that the court in which a case originates ought not to be the ultimate court to decide.

If he succeeded in this first proposition, of which he had given notice in June, he should afterwards move the other proposition, the nature of which he had explained a few days since.

His motion was, That leave be given to bring in a bill "to grant an appeal to the Lords of Parliament from the judgments of the Courts of Justiciary and Circuit in Scotland, in matters of law:"—And that the forms of the House might be strictly complied with, he should move to refer this to a committee of the whole House.

Mr. Anstruther paid *Mr. Adam* some handsome compliments on the candour and the ability with which he had opened the subject. He said, he had no doubt of the purity of his honourable and learned Friend's motives, but felt himself under the necessity of opposing the measure he proposed, even in the present state of it. And the reason why he held it proper to resist it, was, that it appeared to him to seek an alteration in the law of Scotland perfectly new in principle. It had been stated as a doubtful question, whether in criminal cases an appeal would lie, according to the construction of the Articles of Union? He would maintain that no case whatever could be found in which an appeal in criminal cases at any period would lie from the Court of Justiciary to the Parliament of Scotland before the Union, nor any since to the Parliament of England; nor any from the Parliament of Scotland to the Parliament of England. The Honourable Gentleman had stated one ground for his bill; doubts, expressed by Lord Thurlow, upon the propriety of such a measure; he supposed, if that noble and learned Lord had thought that such a step should be adopted, he would himself have proposed it; but whether he thought so or not, made little difference, for the point had been decidedly settled by an opinion given by Lord Mansfield, who, in 1781, had declared, that no appeal lay to this country. The motion, therefore, was not to recall the law of Scotland to its original purity, but to establish a new line of practice, and to make an essential alteration in the principle of the law, which was that of allowing no appeal whatever in criminal cases, from the determination of the Courts of Scotland. He must also oppose it on another ground, that of expediency. He believed the attempt at making any alteration in the law of Scotland at this time,

would be very unpopular, for he had no doubt whatever, that the great mass of the people of Scotland were perfectly satisfied with the administration of justice in that country such as it now was, and as it had long continued. It had been said, that the principle, that no court should possess the power to begin and finally close a proceeding, was universal. This, he denied, and referred him to the High Court of Parliament, where Peers and Commoners were tried from first to last. If ever there was a country perfectly happy under the administration of its laws, Scotland, he said, was that country; and if there were any individuals of another disposition in Scotland, they were so few in number as not to be worth mentioning. He therefore wished the House to reflect on the danger of making any alteration in laws that gave general satisfaction. Mr. Anstruther entered into a discussion of the nature of writs of error, of the value of which they had heard so much, and maintained that in criminal cases a writ of error was not a writ which the subject could claim as a right, but that it was a mere grant of favour from the Crown, as much so, and even more, if possible, than a pardon. This was the law of England with respect to a capital offence. In cases of misdemeanour a writ of error was not a matter of right to the subject; it was wholly at the discretion of the Attorney General. He objected on these accounts to the analogy which his learned Friend had drawn between the right of appeal and that of writs of error, or rather, if they were alike, it did not from the nature of writs of error follow, that appeals should be had in criminal cases which had never been allowed by the law of Scotland. He objected also to the practice of introducing the doctrines of either Hale, Hawkins, or Blackstone, as expositions of the law of Scotland: This would produce endless confusion in the courts of law in that country, and if he was bound to take either, he would prefer a short bill at once to declare, that the law of England shall be the law of Scotland. He was, under all these circumstances, bound to oppose the motion.

Mr. Serjeant Adair said, he had not expected that a proposition of this kind would have been opposed as it had been by the learned Gentleman who spoke last, and least of all, that it would be objected to on such extraordinary grounds. He could not help applauding the candour, as well as the ability, with which the subject had been opened. The importance of it also demanded the attention of the House, and he did not see how that attention could be fully given to it, if the motion was rejected, for the whole of the merits of the question would

would in that case be laid aside; and he could not help saying, that his learned Friend had stated ample ground to call at least for discussion, and nothing more was asked by the present motion. The Serjeant said, he differed widely from the learned Gentleman who had just preceded him in the debate, upon the idea that the House should not enter into any discussion of the alteration of the law of any part of this kingdom, unless the people of that part had expressed a general wish for that purpose: He thought it, on the contrary, the duty of that House to inquire into such matters of themselves; and great indeed might be the grievances of the people before redress would be had by their application, for their application would not come until their sufferings were almost beyond endurance; and he believed there were but few instances of laws being amended from the general application of the public to their representatives: It was the duty of Parliament, as the legislative body, to examine into, and correct the defect of the laws. He differed also from the learned Gentleman in his construction of the nature of a writ of error. He had stated, that a writ of error in a capital offence was matter of pure favour from the crown. That was not his idea of that writ. He took it to be a matter of justice to the subject to grant that writ on a fair ground being laid for the application. If the indictment be substantially defective, the subject will be entitled to a writ of error, as matter of right. It was true indeed the subject had no means to compel the granting of the writ, for the law was silent upon that subject; but it was a prerogative of his Majesty to grant it, and like other high prerogatives of the Crown, the constitution placed it in his Majesty's hands, in the confidence that it would never be abused, and holding those responsible to the public, who should advise his Majesty to abuse it. He differed too from the learned Gentleman, as to the unpopularity of the measure, and the hardship of subjecting the people of Scotland to the law of England; he did not by any means think that the people of Scotland would have much reason to be dissatisfied with such an alteration, or that any Gentleman would be very unpopular who should propose such a measure. Indeed some recent rumours from that part of the country, rendered the information of the learned Gentleman doubtful, as to the great satisfaction felt by the people of Scotland, from the administration of justice that there obtained. The learned Gentleman had said, he would prefer a short bill at once to annihilate the whole Scottish law, and to declare that the law of England should be the law of Scotland. He differed in opinion entirely upon this point, conceiving

conceiving that every alteration in the existing law should be gradual.

The English constitution had not arrived at its present perfection by the contemplations of the legislator in his closet. It was by the progressive wisdom and experience of ages, blended with the urgency of circumstances. A gradual, safe, silent, and almost imperceptible mode of assimilating the laws of the two countries, was, in his opinion, the most prudent and eligible method of proceeding. It was strictly recognized by the Article of Union, as had been stated by his Honourable Friend, that the Parliament of Great Britain might enact such laws respecting the public rights as might be deemed advantageous and politic, but the civil laws of the two countries were to remain unaltered. This was a wise distinction, and ought to be attended to. There was one ground, however, which had been advanced by his Honourable Friend, in favour of the motion, to which no answer had been given. The great benefit of an appellat jurisdiction; the right of appealing, and the power of reviewing the conduct of an inferior court. It was doubly good, it was good for the court appealed to and the court appealed from, making each more cautious than it otherwise would be in coming to a determination.

The Honourable Gentleman had said, that if the noble and learned Lord alluded to had entertained any doubt, he would himself have been the properest person to have brought forward the motion; this, he conceived, was no argument against its being introduced by his Honourable Friend. For this, and the other reasons which he had stated, the Serjeant declared he would support the motion, not pledging himself to agree to all the provisions of the bill, when brought in, but only to support the general principle on which it was founded.

Mr. Anstruther explained.

Mr. Solicitor General said, his opinion was, that the English and Scotch had a partiality for their respective systems of law. There might be prejudices, but they were such as should not be destroyed. Nor would it be right to inspire any jealousy between the two countries. The institution of the courts was different. He observed, that the courts of Scotland were framed with a view to the laws which they had to administer, and therefore there would be danger in attempting to change them. The noble Lord himself (Thurlow) would, in his opinion, be the properest person in another House, if he had thought it a matter of expediency. Unless therefore much stronger

stronger grounds were laid, than had been stated in support of the motion, he should deem it his duty to oppose it.

Mr. Fox argued in support of *Mr. Adam's* motion, and began with remarking on the very singular mode in which the question had been discussed. It had been said, that they were not to interfere till they received complaints of the judicial power from the people; this, he said, was one of the most dangerous maxims he had ever heard. The legislature were perfectly competent without the application of the people, and were better calculated to judge what it would be wise to adopt for the general welfare. With regard to the definition given by the learned Gentleman of the nature of a writ of error, it was, in his mind, the very reverse of the spirit of the constitution; and he was not a little surprised that the learned Gentleman should have so soon forgotten his constitutional principles. He seemed to be desirous of adopting the detestable laws of France, which had been so universally reprobated and held in detestation. The Honourable Gentleman had said, if any body ought to bring forward such a motion, it ought to be Lord Thurlow. This was no reason why any other Gentleman in that House should not bring it forward; but if there be any argument in it, it was in favour of his Honourable Friend's motion that Lord Thurlow did express a doubt on the subject. If so, he conceived it to be an object that ought to be undertaken. *Mr. Fox* took an historical view of the law of Scotland and of England, and maintained, that from time to time all the wisest men had uniformly inculcated that doctrine, and it was that which brought our constitution and our laws to what they were. The contrary doctrine led us back again to the barbarism out of which we emerged. Before the Union, if he was accurate in his recollection, when the Scotch law was in a barbarous state, appeals had been made to the Privy Council; and the obvious intent of the present bill was to put the Lords in the same situation as the Privy Council. It was their duty to follow the spirit of the Act of Union, and that gradual assimilation between the laws of the two countries, that would tend to their mutual advantage. The Honourable Gentleman opposite had mentioned situations in this country, where a man could not have the benefit of appeal. The Honourable Gentleman had alluded to the trial of a Peer—in this case he contended that there was an appeal, and in arrest of judgment. *Mr. Fox* entered into an animated defence of the right of appeal, and contended in favour of an appellant having a power to obtain jurisdiction from the determination of any court, not that he meant to impute corrupt motives to any body of men, but because the very principle of an appeal was the wisest that ever

was attended to in the formation of laws for civil society; for it went to confess our infirmities in all stations of life, and in his opinion the greatest proof of human wisdom was the recognition of the weakness of human judgment.

Mr. Anstruther, in explanation, said, he did not mean to say, that there ought to be a general complaint of the people before any step towards an alteration took place; but that, in a case which was supported by no other arguments, it might have been expected that at least the general wish of the people would have been stated as an inducement to the House.

Mr. Serjeant Watson, in a short speech, assigned his reasons for giving his negative to the motion.

The Master of the Rolls began his opposition to the motion, by emphatically stating, not only the utility, but the comfort to a judge, of an appellat jurisdiction. In his judicial situation he declared he felt it in the strongest degree. Were his judgments to be final, it would be to him a source of misery and uneasiness, as it would load him with the most distressing responsibility. But he could not see the propriety of introducing that principle into the criminal law of Scotland. It was new—The Scots criminal law and that of England had no affinity whatever. In England, the criminal law was by long experience brought to great perfection, and all the different gradations, such as capital felonies, clergyable felonies, and misdemeanors, were clearly ascertained and generally well known. No such distinctions were recognized by the law of Scotland; and to bring the criminal law of that country to be decided by the analogy of the criminal law of England, would, in his opinion, be very impolitic and unwise. He stated various objections also to the possibility of effecting this, even if it were deemed expedient, arising from the want of conformity in the forms of the law of Scotland to the law of England, and the difficulty of moving the record to this country.

Mr. Adam rose to claim the right of a mover to reply, but said, he would have most readily dispensed with that privilege, had it not been that misconstruction upon a matter somewhat personal (not to himself, but to a noble person alluded to in the debate) made it absolutely necessary for him to explain. He had stated, in the outset, the tendency of a noble Lord's opinion (Lord Thurlow) as leaning to the expediency of an appeal in criminal matter under restriction of discretion; and this had been, with more zeal than candour, tortured by Gentlemen (*Mr. Anstruther* and the Solicitor General) into an idea, that the noble Lord, in what he said, had given it to be understood

derstood, that he had made up his mind to a legislative measure on the subject.

Mr. Adam asserted, that he had said nothing that would bear out such a construction of his words, but had mentioned, as part of the history of the cause before the Lords last year, the idea of expediency having fallen from that noble person. Every body knew the respect he bore to the powerful talents of Lord Thurlow, and he could venture to declare that all Scotland felt with gratitude what he daily witnessed, the laborious industry, and enlightened mind, with which that noble and learned person superintended the judicial interests of Scotland in matters of property. Others might talk of their admiration of that noble Lord; he would rest his on this proof, whether those who jealously withheld from him the superintendence of Scots criminal judicature, or he who wished to have the spirit of justice, and habits of accuracy, which prevailed in Lord Thurlow's mind, pervade the criminal system of Scotland, were his most sincere admirers. It had been the happiness of Scotland to have English Chancellors, Lord Hardwicke and Lord Thurlow, to overlook their civil code; and he wished the advantage to be extended. He enlarged on the absurdity of the objection arising from the penal laws of the two countries being different, and therefore the appeal in criminal cases improper. He shewed the difference in civil cases to be great indeed, from the rules of property being unlike, yet the appeal in civil cases was highly approved, was held to be a great benefit, and universally so acknowledged. In the criminal code of the two countries there must be more analogy from the nature of the thing, as breaches of morality were every-where the same. It had been assumed by a learned Gentleman (Mr. Anstruther) as if he had proposed to force the law of England as to criminal matters upon Scotland, because he had alluded figuratively to the advantages to be derived from the perusal of the great authors of the criminal law of this country. If he had made any such proposition, he challenged the learned Gentleman to prove it. He had supposed, on the contrary, the law to remain the same; but he had held that one salutary effect of his measure would be to induce the perusal of those authors by Scots lawyers.—Why? Because in them were to be found the pure spirit and substantial principles of criminal justice. Was the learned Gentleman yet to learn, that the powerful mind of Lord Hale had reached to nothing but technicals, or that in many technical rules there is not included substantial justice, and that that illustrious Judge had not unfolded the grand prevailing principles of criminal jurisprudence upon the eternal

and unerring principles of general justice, applying alike to all nature?

The learned Gentleman, in the same candid spirit, had represented the measure as intending to give an appeal from what is called the relevancy of the libel, that is, the examination made by the Court into its sufficiency, and the degree of guilt it would infer.

Had he made any such proposition? No. He had not so proposed to deviate from principle. He knew a case, indeed, in which that principle was adopted: "The East India Judicature bill." An act to which he supposed the learned Gentleman was *now* a convert. That act gave a demurrer to the information, which amounted to a pleading on the relevancy—and a writ of error from that demurrer, to be tried in the first instance, by the Court of King's Bench, but then what did it do? After the verdict or judgment of the new Judicature, all redress stopped—There was no farther appeal—That was not his (Mr. Adam's) principle—He knew that the true legal, and advantageous time for the accused was after verdict—that in criminal cases, verdict cured no defects in the indictment, and that one main object of criminal law, being to secure against illegal convictions, it was at that period only he meant to give the appeal.

The same spirit had led the learned Gentleman to object, because there was nothing stated in the opening, which established that it had ever been the law of Scotland, to have appeals from the Justiciary. Mr. Adam said, as to that, although he was completely satisfied with the decision of last year as a lawyer, yet he had good reason to support the statement of his Right Honourable Friend, Mr. Fox, that there had been appeals to the Privy Council; and when he said so, he was fortified by the acquiescence of Lord Loughborough, who in the Committee of the Lords had objected to his (Mr. Adam) quoting them as instances before the Council, not because they were not founded in fact, but because the Privy Council of Scotland was an odious and unconstitutional tribunal. But he did not found on that. He admitted in the fullest extent the effect of the consecutive decisions in the House of Lords, to have settled the law, and the complete and ample manner in which the judgment had been given, as well as the patient hearing which had preceded the judgment of last year; but he asked whether, as his learned friend (Mr. Serjeant Adair) had said, he had not proposed to bring in an enacting bill—an observation which overset every argument attempted by the learned Gentleman and his coadjutors upon that head of objection. He had founded his proposition on principle, and supported it on precedent; and

and it was opposed by a subversion of the soundest principles of judicial jurisprudence—the necessity of an appellant jurisdiction, and the security of the accused, without any one precedent, but with the most complete evidence that the judicial jurisprudence of both countries was against their argument throughout, in which, with the single exception in question, the system of appellant jurisdiction prevailed.

Nay, the Right Honourable and learned Gentleman (the Master of the Rolls) had said, in a manner that did him honour, that he felt in his situation the highest satisfaction in having an appellant jurisdiction over him. From which indeed he drew a strange and most unlogical conclusion, that because he felt its comforts and acknowledged its benefits in his sphere of judicature, he would deny the comfort of it to the Scots Lords of Justiciary, and prevent the benefit being extended to the Scots nation. And why? because forsooth the laws of the two countries are not the same. Are they, said Mr. Adam, again, the same in civil matters?

Was it ever proposed to make the laws the same, by this measure? The assimilating in certain matters belonged to another bill. Was it said, or hinted, in the opening that the Scots criminal law knew the distinction of capital and clergyable felonies, though they did know misdemeanors or delicts as distinguished from capital crimes? No, said Mr. Adam, but the reverse. He professed not to touch that branch of the law at all that regarded capital crimes. But he would tell the learned Gentleman (the Master of the Rolls), where that matter was ignorantly, carelessly, and inexcusably confounded. Here Mr. Adam read the title of the act of the 25th of George III. cap. 46, as follows: "An Act for the more effectual transportation of felons, and other offenders, in that part of Great Britain called Scotland." Mr. Adam then said, he did not recollect who was the Lord Advocate of that day. But he knew (looking to the Master of the Rolls), who was the Attorney General. The Right Honourable and learned Gentleman then, those careful, wise, and consistent legislators over against him, were the persons to be accused of confounding the law of Scotland, and introducing the term Felony into it, which it did not know, while he was free from any such intent.

It had been complained that the people in Scotland would be tried by maxims they knew nothing of. Was it so? was there any such proposition in an appeal to be decided on the existing laws of Scotland? This might have been said when the Union was made more perfect, by rendering the treason laws of the

two countries the same—and any argument which had been that day offered might have applied to that bill; might have applied inconclusively indeed to all the other legislative acts respecting the Scots penal code, which he had enumerated in the opening; but could not, by any perversion, have any weight against his measure for an appeal restricted to mere error of law, and restrained by regulations similar to those existing in this country. Mr. Adam said, he had gone through all the arguments which had been offered against his proposition but one; an argument which, however devoid of real solidity, was of too much importance, from the aspect it bore and the motive which suggested it, to be passed over. It had been said by the learned Gentleman (Mr. Anstruther) that the people of Scotland did not wish it; that they had made no complaints and had not called for it. Mr. Adam said, it was not his mode to attempt any thing through that medium; he knew not by a canvass what their wishes were. As a legislator, representing a particular place, or, by the fiction of the constitution, the whole community, he felt himself called upon to consider exigencies, and to cure defects, without consulting or canvassing for external support: Upon that principle, he had first minutely inquired and deliberately considered, and had upon that inquiry and deliberation most steadily determined. To effect a measure which he knew must be beneficial to that part of the country for which it was meant, by improving their civil condition and securing their rights, was a consideration of much higher importance than the regulations of municipal law, in as much as life and liberty were of more importance than the objects of the civil code. Why did he press this now? because it never could be too late to do a right thing. What the wishes of the people of Scotland were, he had said, he could not tell from canvassing them, but he knew what they ought to be; and as he was convinced of the rectitude of their intentions, the justice of their feelings, and the accuracy of their information; as he knew that the bulk of that people had been growing in improvement from the period of the Union to the present time, that the tyranny and darkness which then prevailed was dissipated, and that they felt with ardour the blessings of civil and political liberty, without having a tendency to licentiousness or anarchy—he must believe, that they would wish that which tended to promote what was equally necessary to individual safety and public tranquillity. It was his most anxious wish to promote the interest, and add to the happiness of that country where he first drew his breath; a country to which he was attached by every tie of gratitude and love;

love; a country which he would pledge himself never to betray. That if it should ever be his fate, that his name should have a place in the history of his country, it would be his most devout and ardent wish that the measure he had proposed should accompany it, in its descent to future times. And as between the learned Gentleman (Mr. Anstruther) and himself, he was ready to refer to that unerring and impartial tribunal, posterity, the rectitude of his conduct, the wisdom and popularity of his proposition.

Mr. Adam concluded, with strongly and forcibly stating to the House, that no objection had been made to the principle of his proposed bill. The objections all rested on detail and regulation; that so far from being objections to apply to the bringing in of the bill, they would not even lie on the second reading; but were matter for the committee. These difficulties he pledged himself to guard against by provisions; but it was neither candid nor just to acknowledge the candour of the mover, not deny the justice of the measure, and yet reject it on its first appearance.

Mr. Adam gave notice, that in the month of March next, he should bring forward another part of the measure which he had opened that night.

Mr. M. Montague, Mr. Stanley, and Mr. Drake, severally spoke against the motion. Among other emphatic expressions, Mr. Drake said: *Nolumus leges Angliæ et Scotiæ mutari.*

The House divided, *for the motion* 31

Against it 126

Adjourned.

WEDNESDAY, February 5.

In a committee, went through the American Intercourse Bill. Ordered that the report be received to-morrow.

The Speaker informed the House, that he had received from Sir Robert Abercrombie, an answer to his letter of the 7th of June 1793, transmitting to Sir Robert Abercrombie the thanks of the House.

THE BUDGET.

The House having resolved into a Committee of Ways and Means;

The Chancellor of the Exchequer said, he rose to lay before the Committee as fully, but at the same time as concisely as he was able, the various important particulars which were that day necessarily to be submitted to their consideration. In doing this he should call their attention to the several heads of Supply

Supply and Ways and Means, in the order in which he proposed to arrange them. First, he would state the extent of the provisions made, according to the votes and estimates, for the various branches of the public service, for the vigorous prosecution of the war; secondly, all the articles of Supply and Ways and Means; and thirdly, all the particulars of the Loan, the resources arising from other measures of finance, and the new taxes necessary for defraying the additional expence of the interest of the loan. On the first of these heads it would scarcely be necessary to dwell, as it had already come before the House in detail. He should only remind the Committee that the first question for every man who felt for himself, for his country, or for mankind, was to be satisfied that the measure of our exertion was adequate to the end we had in view, or limited only by the extent of our ability. When the contest, in which we were engaged, was for the whole that we possess, surely no man could hesitate to contribute a part.

The first head of public service in the order of the votes, and in the general opinion and favour of the country, was the Navy. In the second year of the war 85,000 seamen had been voted, with the satisfaction of knowing that at the end of the first year; commenced with only about 10,000 of that number, the increase had been between 50,000 and 60,000; that we were now nearly arrived at the number voted for the second year; and that the increase of the number of our ships had kept pace with the increase of the number of our seamen. The augmentation of our naval force was almost in proportion to our wishes, and much greater than had been effected at any former period within the same time. In a contest with one nation only, it was, in the first year of the war, nearly equal to what it had been when we had to contend with almost the united naval force of Europe. The Committee would observe that a vote for 85,000 seamen was sufficient to cover the employment of a much larger number, if occasion should require, and a larger number could be obtained in the course of the year.

The House had already concurred in voting all that was required for the Army at the present time. The actual augmentation in the first year, had been more rapid and extensive than had been known in any former period of our history, and larger than at the conclusion of some wars. 30,000 effective men of British troops had been added in the course of one year; and for the second year, the House had voted 30,000 more—a number fully sufficient, if they could be obtained. The total of our army, including regulars, militia, and fencibles, was above 140,000 British troops. But besides these, the necessary charges had been voted for between 30,000 and
40,000

40,000 foreign troops. In the Ordnance branch also, the augmentation had been greater than formerly, and in proportion to the circumstances and new principles introduced in this war. The artillery consisted of between 5000 and 6000 men—So that the whole number of men employed, including seamen, regular British troops, militia, fencibles, foreign troops in our pay, and artillery, amounted to 250,000. If he could prove that we were able to provide for and support that force, it would, he trusted, be admitted that ministers had not been deficient in point of diligence, and that their exertions had been equal to the exigency of the occasion, and proportioned to the necessity which called for them.

A large provision, the Chancellor of the Exchequer said, was to be made for the exceedings of last year; and although he lamented the necessity of the demand, it was some satisfaction to know that it arose chiefly from the rapidity with which the number of seamen had been increased, and ships fitted and victualled for service. From the very nature of the expence, it could not occur again in any thing like an equal degree.

There had been already voted, for the three different services, that he had mentioned,

NAVY.

| | |
|-----------------------------|--------------|
| General service of the Navy | £. 4,420,000 |
| Ordinaries | 558,000 |
| Extraordinaries | 547,000 |
| Total amount of the Navy | 5,525,000l. |

ARMY.

| | |
|-----------------------------------|-------------|
| General service | 4,362,000 |
| Foreign Troops | 1,169,000 |
| Extraordinaries for 1793 | 808,000 |
| Total amount of the Army Estimate | 6,339,000l. |

ORDNANCE.

| | |
|---------------------------------------|-------------|
| Ordinaries | 324,000 |
| Extraordinaries | 377,000 |
| Debt incurred last year, and unfunded | 643,000 |
| Total of the Ordnance | 1,345,000l. |

The miscellaneous services were 206,000l.; exceeding by 80,000l. the estimate of the Finance Committee of 1791. The deficiency of grants was 474,000l.; deficiency of land and malt taxes, 320,000l.

In addition to the war and ordinary charges, there was a sum of 200,000l. which the House in 1792 had thought proper to appropriate to the reduction of the public debt, over and above the other appropriations for that purpose; and although it had not been made perpetual, he wished not to depart, even while under the pressure of war, from what it had been thought advisable to do in a season of peace and prosperity.

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The Exchequer Bills, amounting to 5,500,000*l.* it had been usual to discharge, and to issue new bills for the same sum, and therefore to leave them out on both sides, in striking the balance between the Supply and the Ways and Means. At present, it was necessary to include them in the account, because he intended to make a provision for any expences, over and above the estimates and votes of supply, that might be incurred in the course of the year. Any sum for this purpose must necessarily be taken on conjecture; and he meant to propose that the Commissioners of the Treasury should have a vote of credit for 2,000,000*l.* in Exchequer Bills. Last year 1,500,000*l.* was voted for the same purpose; and that the amount of Exchequer Bills might not be too great, an equal sum was paid off: for the same reason he should in the first instance issue only 5,500,000*l.* of Exchequer Bills this year, which would leave an opening for the 2,000,000*l.* on the vote of credit, if it should be found necessary to issue the whole or any part of them. The whole supply would then amount to 19,940,000*l.* consisting of the following heads:

| | |
|---|--------------|
| Total amount of Navy, Army, and Ordnance | £.13,209,000 |
| Miscellaneous Services | 206,000 |
| Deficiencies in Grants | 474,000 |
| Ditto in Land and Malt Tax | 350,000 |
| Additional sum to the Commissioners for discharging the National Debt | 200,000 |
| Exchequer Bills | 5,500,000 |
| Total amount to be provided for | 19,939,000 |

The Ways and Means to provide for this were, land and malt, 2,750,000*l.*; exchequer bills 3,500,000*l.*

The amount of the permanent taxes, from the 5th of January 1793, to the 5th of January 1794, was 13,941,000*l.* considerably less than the produce of the year 1792, but greater than the produce of the year 1791. The produce for the present year was to be estimated either on an average of former years, which were years of peace, and therefore to be taken with some allowance, or on the produce of one year of war. Now it happened in the present instance that the difference between the two was not material. After deducting the amount of taxes repealed, the average of four years was 13,994,000*l.* The charges on the consolidated fund were, for this year, 11,797,000*l.* The growing produce of the consolidated fund, applicable to the purposes of Ways and Means, was therefore 2,197,000*l.* Although the East India Company might suffer some temporary defalcation of profit, by the increase of freight and the decrease of sales, yet they had obtained such ample security for their establishments in India, by the capture of all
the

the enemy's factories and settlements, that there was no reason to apprehend any inability on their part to pay the 500,000*l.* a year to the public. The sum then wanting to make good the whole of the supply was 11,000,000*l.* and this was to be raised by loan.

He enumerated the articles as follows;

WAYS AND MEANS.

| | |
|---|--------------|
| Malt Tax | £ 2,750,000 |
| Exchequer Bills | 3,500,000 |
| Growing produce of Taxes, after answering | |
| Charges of Consolidated Fund | 2,197,000 |
| From the East-India Company | 500,000 |
| Loan | 11,000,000 |
| | <hr/> |
| | £ 19,947,000 |

He next entered into a comparison of the several articles of Ways and Means for the present year, with the estimate of the Finance Committee in 1791, from which he made out that there was now in the second year of war 800,000*l.* more revenue applicable to the public service than in 1791. Of this, 500,000*l.* was paid by the East-India Company; but the produce of the permanent taxes exceeded the estimate of the Finance Committee in 1791 by 522,000*l.*; and after deducting additional charges on the consolidated fund, left 300,000*l.* to be added to the sum paid by the India Company.

In the course of the last year the navy debt had increased 3,200,000*l.* This he did not mean to leave, as in former times, accumulating till the end of the war. He did not, however, propose to fund the whole of it, because, as navy bills had been issued at a discount, those who held bills of the latest date, would receive a greater profit, and an earlier payment, than they were fairly entitled to. On this subject, however, as he should bring forward a proposition on a future day, it was only necessary to say, that he meant to make immediate provision for the interest of the whole sum; to fix a period for the payment of navy bills in ready money within fifteen months after their being issued; and instead of allowing no interest till six months after the date of the bills, which, he knew not for what reason, had been the former practice, to allow four per cent. interest from the time of issuing. This, he was informed by persons well qualified to judge, would put an end to the discount on navy bills, which had always, in time of war, been so disadvantageous to the public. He should propose, funding all the navy bills to March 1793, about 2,900,000*l.* provided the holders should agree to the terms he meant to propose.

There might also be some increase of the navy debt this year, but nothing like what the increase last year had been. The expence of transports was uncertain, and might exceed

the estimate by 500,000*l.* The usual sum of 4*l.* per man per month for pay and victualling, fell short of the actual expence about nine shillings a month, which would make 500,000*l.* more. For the probable exceedings of the navy, he meant therefore to allow one million more, and to provide for the interest of it, that no debt might appear to be withheld from public view, and that the system formerly laid down might be strictly adhered to.

In negotiating the loan, he had endeavoured to encourage a free and open competition among monied men, without having any thing to do with the distribution of it; taking care only that the bidders should be of such responsibility as to insure the payment of the first deposit, which might be considered as the security to the public for the rest. Five most respectable sets of monied men had offered, and the effect was such as might have been expected: The terms were highly favourable to the public; and what was also desirable, he hoped safe to the lenders. For 100*l.* they were to receive 100*l.* 3 per cents, 25*l.* 4 per cents, and 11*s.* 5*d.* long annuity. At the current prices of the day on which the bargain was made, these were worth,

| | | | | |
|--|---|------|----|---|
| 100 <i>l.</i> 3 per cents, | - | £ 67 | 10 | 0 |
| 25 <i>l.</i> 4 per cents, | - | 21 | 0 | 0 |
| 11 <i>s.</i> 5 <i>d.</i> long annuities, | - | 11 | 9 | 9 |
| <hr/> | | | | |
| Total 99 19 9 | | | | |

This perhaps was the first instance of a loan, in which the fractional difference between the sum borrowed and the sum to be paid, was in favour of the public: In which the discount on prompt payment was the only premium to the lender.—The discount on 90*l.* *viz.* the sum remaining to be paid after the first deposit, for eleven months, at 3 per cent., was 2*l.* 9*s.* 6*d.*; which, added to 99*l.* 19*s.* 9*d.*, made 102*l.* 9*s.* 3*d.* for every 100*l.* of the loan. This was no doubt a considerable premium, but the smallest he believed that ever had been given.

The annual sum to be provided for the payment of interest, and one per cent. for the gradual liquidation of the capital, in conformity to the system sanctioned by Parliament, and not to be departed from, even during war, was for the loan 650,000*l.* adding the sum to be provided on the same principle, for the actual and expected navy debt, would make 898,000*l.*

The Glove tax produced so little, and was found to be so vexatious to those who paid it, that he meant to repeal it, even at a period when it might seem that no resource of revenue, however small, ought to be relinquished. The tax
on

on Births and Burials, which had been imposed rather as a regulation, and more with a view to information than revenue, he meant also to repeal. These together had produced about 10,000*l*. The whole sum, which he had to provide for, would thus be 908,000*l*.

To call for so large a sum, must be matter of regret at any period; but if the circumstances of the time required it, the same circumstances allowed not of hesitation. If the charge was large, the largeness of it arose from bringing forward with scrupulous exactness every article of present expence, and adhering with strictness to the system adopted for the gradual reduction both of the old and the new public debt; and the House would have the consolation of knowing, that, as his Majesty had stated from the throne, there were such means as would meet the exigency, without any pressure which could be severely felt by the people.

Of the taxes imposed in 1791, a burden they had experienced and knew could be borne, the average produce, after deducting the amount of those which had been repealed, and which he did not mean to renew, was 635,000*l*. The annual charge upon them was 250,000*l*. leaving a surplus of 385,000*l*. By the new regulation of the duty on spirits in Scotland, there was a surplus, over and above making good the repealed duty on coals, of 43,000*l*. This having been tried for one year only, would probably increase; and with the sum above-mentioned, might be taken at 430,000*l*. The remainder was to be provided for by

NEW TAXES.

The first that he would mention, was an additional duty on British and foreign spirits. On these it was desirable that the duty should be as high as possible, without affording such advantage and temptation to smuggling, as might operate as a premium to the illicit trader, and tend materially to injure the revenue. Formerly it had been so high, as to produce this inconvenience, and a remedy had been applied by lowering the duty. It was afterwards thought that, when the capital of the smugglers was destroyed, or diverted into honest channels, the duty might be somewhat raised without danger; and the experiment had succeeded. The facility of smuggling French brandies, the great article of smuggling, was at present annihilated; for even smugglers were not exempted from the general proscription of the National Convention. The smuggling of rum had always been small, from the distance from whence it was brought, and the nature of the vessels in which it was imported, and also because it might easily be watched. When peace came, and with it the opportunity

tunity of smuggling from the French coast returned; the additional duty might be repealed, as the increased produce of other branches of revenue would more than make good the amount.

New buildings certainly had not decreased in consequence of the tax on bricks and tiles; on these articles, therefore, he should propose an additional duty.

Slate and stone being employed for similar purposes, ought to pay in proportion, as far as that could be ascertained: But as it would be difficult to collect a duty upon all that could be raised from quarries, he meant only to propose a duty on such as came coastways.

He would next propose a tax, on what might fairly be considered as a mere article of luxury, plate and crown glass.

The multitude of sorts into which paper was divided with a view of proportioning the tax to the value, a most desirable object, if it could be accomplished, had given rise to frauds. He meant, therefore, to simplify the duty, by reducing it to three sorts only; and to add one-half to some, and one-third to others,

Last of all, a tax which had been suggested to him by the highest judicial authority in the kingdom, an additional tax upon attornies. [The bare mention of this tax excited immediate and general applause.] From the manner in which this had been received by the House, could he have done so without depriving the public of the useful services of those upon whom it was to be levied, as far as they were useful, the Chancellor of the Exchequer said, he could have wished to have made it the only tax in his budget. He meant to charge a duty of 100l. on the indentures of every person articulated to an attorney; and 100l. on the admission of every person already articulated.

RECAPITULATION.

| | |
|---|-----------|
| British spirits one penny per gallon additional on the wash | £ 107,000 |
| Brandy ten-pence per gallon ? | - |
| Rum nine-pence per gallon } | 156,000 |
| Bricks and tiles 1s. 6d. additional per thousand | 70,000 |
| Slate carried coastways 10s. per ton—Stone 2s. 6d. | 10,000 |
| Crown and plate glass, additional | 52,500 |
| Paper, additional | 63,000 |
| Attornies, additional | 25,000 |
| Add surplus of taxes 1792 | 430,000 |

Total £ 913,000

Having thus stated the amount of supply and ways and means, as well as the services to be performed, the loan and other measures of finance, he said he should be happy if the House thought the provision was ample, and the means easy as far as circum-

circumstances would admit, and likely to be effectual. What was the nature of the provision? In addition to the large estimates for the immediate service of the war, two millions were provided for extraordinary and unforeseen expences, with ample means for removing the pressure of the unfunded debt, and all this without deranging the system for the reduction of the old funded debt, the sum applied to which, besides accumulating at compound interest, was farther increased by 200,000*l*. Provision was also made, not only for the interest, but for the liquidation, of the new debt in proportion to the capital borrowed. The Navy debt was put into a state by which the inconvenience of large discount on Navy bills, so severely felt in former wars, would be avoided. If the terms of the loan were considered, it would be found that public credit and public confidence were unimpaired. The state of the revenue afforded grounds of satisfaction beyond the most sanguine hopes that could have been formed respecting it. Of the taxes great part had been already borne without inconvenience, and the rest were mostly additions to articles which experience had proved to be productive with the least possible burden to the public. The future produce of the revenue was calculated on the average of four years of peace, or on the first year of war, in which it was more likely to suffer, our naval superiority, and our improved state of preparation considered, than in any future year. The circumstances and situation of Europe (except in as far as every country engaged in the war, becoming poorer the longer the war continued, must be a less valuable customer for our manufactures), were more favourable to the extension of our trade than in 1793; because places then in the possession of France, were now delivered from the anarchy and distress, which French fraternity carried every-where along with it; but infinitely more than for any other reason, because the singular and extraordinary stagnation of trade, occasioned by the sudden and violent interruption of commercial credit, was now, and had long since been more completely at an end than any man could have presumed to hope. If the revenue had even failed last year, it would not have been very extraordinary, nor would it have been a just cause of discouragement; but its having been productive in an eminent degree, afforded a well-grounded expectation, that under all the circumstances, the produce of the present year would be equal, if not superior, to that of the last. The produce of the permanent taxes for 1793, was 13,953,000*l*. independent of the temporary taxes to be continued: This was less than in the year 1792, a year of the highest commercial prosperity, by 360,000*l*. But we did not calculate on the produce of 1792.

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We formed our estimate on the average of four years, 500,000*l.* less than the produce of 1792; and the actual produce of 1793, exceeded that average by 137,000*l.* He stated how far it exceeded the estimates of the Finance Committees of 1786 and 1791; and added, that taken in any point of view, the revenue had produced 500,000*l.* a year more than had been expected at the most prosperous period. This excess he did not mortgage, but left to meet future exigencies, or to accumulate if no such exigencies should occur. These were our hopes in time of war, and with the surplus which, but for the war, would have been applicable to the reduction of our debt whenever the moment of peace arrived, we should recur again to that system the blessings of which we had already felt, and the progress of which had been interrupted by no fault of ours. While the war continued, we must resolve to meet it as the most important duty ever imposed by the dispensation of Providence on any nation on the face of the globe.

He concluded with moving his first resolution.

Mr. Fox said, he had last year felt it his duty to express his disapprobation of the terms of the loan, and to divide the House on the subject; he then rose to express his satisfaction, as far as he was able to judge of the situation in which we stood at present, at all that had, upon the subject of finance, been brought forward by the minister; and he was willing to admit that the loan was a prudent one: When he saw ground for approbation, he was always as ready to give that approbation, as to express his sentiments in a different manner, when he felt no reason to approve. With respect, therefore, to the loan, he begged to be understood that he subscribed to it implicitly, because it appeared to him that the terms were as advantageous as could be expected; and he conceived they would not only be so to the public, but that they would prove fair also to the individuals concerned in the transaction; he considered it as fair a bargain between the two contracting parties, as ought to be expected by either. He was particularly glad also that the minister had at last adopted what he had often been advised to adopt, namely, a plan for keeping down, as much as possible, the discount on navy bills; this was an inconvenience to the public, which he had in a considerable degree felt, and had often laboured to convince the Right Hon. Gentleman that it was extremely disadvantageous and extremely oppressive, and he was glad the Right Hon. Gentleman was at last brought to concur in that opinion. It would have been better, *Mr. Fox* said, if the whole of the navy debt had been funded long since; and therefore the plan

of the minister, for keeping down the discount upon navy bills (which had long been so enormous), as far as it went, had his entire concurrence. There was, however, a point ultimately connected with the subject now before the committee, which he could not but lament, and to which he could not help alluding: It was a part of his Majesty's speech, on the opening of the session. He lamented that such a part of the speech was adopted. He alluded to that part in which his Majesty tells his people, that the burden of taxes to be imposed upon them would not be severely felt. How was this sort of affectation becoming, either from the throne, or less authority? Upon what grounds was it justifiable to tell the people of this country, that the burdens imposed on them would not be severely felt? Why should the minister advise this? Why were the people to be told, that a burden of near one million sterling per annum, in addition to the heavy load which they bear already, would not be severely felt? Why not leave the people to judge for themselves? It was a point on which the people would form as just an opinion, as either his Majesty, or any of his ministers. Some of the taxes already imposed, were pretty severely felt, and possibly might still be more so, and that too in consequence of the taxes that were to be added now. He knew that in the discussion of the subject of taxes, it was generally admitted, that when they were imposed on the lower class of society, they would, in some measure, fall upon those who employed them: On the other hand, taxes imposed on articles of life generally bought by the rich might fall in a great measure upon the poor. It was maintained often as a principle, that taxes on luxury are fairer mediums of impost than any other. This in his opinion should be understood with certain allowances; it was not quite an easy thing to define precisely what was always to be called a luxury; that which was once clearly a luxury might from custom and habit become a necessary of life. The articles of tea and sugar, for instance, were within his meaning by these observations; for although in the simplicity of former days we were generally contented with plain food and frugal diet, yet tea and sugar were now in such common use, that he feared they were necessities of life, and necessities too which were in greater use with the lower classes of the people, than with those who had the good fortune to be in high condition, persons of rank and affluence; and therefore he could not say that some of the taxes about to be imposed (for they resembled these) would not be severely felt. They might be necessary, but that was another question. What he meant to insist on was, that the people ought to be allowed to judge

our sinking fund, but he saw no great reason to think that our manufactories were flourishing, or to expect that our revenue would not diminish. He approved, as he had already said, of the loan, and of the plan for the keeping down of the interest on navy bills; he thought them wise and prudent measures, and whenever he could approve of the conduct of the minister he was happy to say so—but he must again repeat it, he did not like to hear language from above, informing the people how they were to feel the burdens imposed on them; he hoped they would patiently bear whatever was necessary for the public exigency. As to what the Right Hon. Gentleman had stated with regard to the surplus of the revenue, that he did not mortgage it for the continuance of the war, for that he had provided for the support of the war, even if that surplus should continue as he hoped it would, and that it should be employed towards the payment of our debt, there was nothing remarkable or extraordinary in that; no such mortgage, he believed, had been attempted to be made by a minister in the progress of any war, nor could it be expected to be the case in this; it was a thing in its nature not to be done.

With regard to public credit, he confessed he did not feel equally sanguine with the Right Hon. Gentleman, nor see it in the same favourable point of view.

Public credit was high at the beginning of the American war, and that credit afterwards became low indeed, and he was afraid we had no reason to be proud of the comparison between that war and the present in that respect, if the public funds were in any degree to be relied on or admitted as sufficient evidence upon the question of public credit. In the present war, within a period of *twenty months*, the three per cents had sunk *thirty per cent*. Thirty per cent. in that time was a tremendous fall, and could not be stated as a proof that the present war did not affect our credit. At the beginning of the American war in 1774, the three per cents were at 84; at the conclusion of 1783, the three per cents were about 54. During that American war, after seven years continuance of it, the three per cents sunk 35 per cent. In this war, after the continuation of it for only twenty months, the three per cents had sunk 30 per cent. He could not therefore conceive that the calamities of the present period affected us less in point of credit, than the calamities of the American war had done while that mischievous war existed. It might be said, and said truly, that much of this was owing to our enormous debt; it was true it was so, but that was part of our case, and it was a great evil, upon which it behoved us to reflect very seriously. Mr. Fox said, he thought it his duty to make these few ob-

serya-

though they could not tell how, they insisted that the burden would fall on the customer: He however at last convinced that House that the tax was partial. If any part of their argument had been right upon that subject, why should they not think that it applied to the present case, and that the tax would fall on those who were already heavily taxed, namely the clients of the attorney; for if a shop-keeper could impose upon his customers, he saw nothing so particularly blunt, stupid, and void of ingenuity in the character of an attorney, as to induce him to think that he could not charge the man who had the misfortune to be his customer as well as a shop-keeper. He feared the proposed tax would open a field for imposition. The Right Hon. Gentleman had made some observations with respect to the Committee of Finance in 1791. He thought it necessary to observe, that that Committee had made a report that was perfectly fair and just with respect to the revenue, but he did not by any means agree with them in their estimate of the expenditure. Indeed that was a point which it was difficult to bring to a fair determination, because there had been no year in the course of their computation in which we could be said to be at a peace expenditure; and he could not help thinking that whenever this unfortunate war should be at an end, a different estimation must be made with regard to our permanent peace expenditure—God knew what our revenue might be at that time, whenever it should happily arrive. The Right Hon. Gentleman had stated some reasons why he had grounds to hope that the revenue would prove more productive in future than it had been. That it had been more productive than was expected at the commencement of the war, was a circumstance, Mr. Fox said, which he rejoiced at; but he could not help thinking that when the Right Hon. Gentleman came to the balance, after the loss we must sustain from the diminution of custom for our manufactures in consequence of the present war, he would feel a great deficiency in the revenue, and find commercial credit low; if this did not turn out so, he was much deceived. He wished to obtain all the information possible on this particular—he had obtained some on which he could rely. In the county of Lancaster, a county of considerable manufacture, from the number of hands now unemployed, and from men being taken in such numbers for the service of the war, there was reason to believe that our commerce was in a languid condition. If he was mistaken in that opinion, he should be happy to be convinced of it, but he was afraid his information was true, and if so, our commerce must be in a declining state. He agreed with the Right Hon. Gentleman as to the growing produce of

THURSDAY, February 6.

TRIAL OF MR. HASTINGS.

Mr. Wigley said, that on account of the death of a new relation of the leader of the Managers of the Impeachment against *Mr. Hastings* (*Mr. Burke*), who could not attend the House that day, he should defer the motion he intended to make relative to the proceeding in that trial to Tuesday next.

THE LOAN AND TAXES.

Mr. Hobart brought up the report of the Resolutions moved the preceding day, and agreed to in the Committee of Ways and Means, for raising money by loan, and creating a fund arising out of new taxes for paying the interest of the same.

No. II. 1d. per lb. upon Coloured and Whited Brown, except Elephant and Cartridge

No. III. 0½d. per lb. for Wrapping Paper

No. IV. 2½d. per lb. upon all other Papers, except Sheathing and Button Paper

No. V. 10s. 6d. per cwt. upon Pasteboard, Millboard, Scalesboard, and Glazed Papers

A Drawback to be allowed on exportation.

That the duties on Customs of the above do cease, and there be taken in lieu thereof,

10d. per lb. on No. I. imported

2d. per lb. on No. II. imported

6d. per lb. on Paper Hangings imported

10d. per lb. on all other Papers imported

2s. per cwt. upon Pasteboards, &c. imported

10s. 8½d. on Flint Glass imported

8s. 0½d. on Materials used in making Window Glass

A drawback of 8½d. on every foot of Plate Glass imported

14s. 6d. per cwt. on Flint Glass exported

9s. 11d. per ditto on Crown ditto exported

8½d. per foot on French Plate ditto exported

14s. on French Plate ditto imported

9s. 11d. on French Window ditto imported

14s. per cwt. on other Glass imported

10s. 8½d. per cwt. on Plates of Glass not less than 14½ square inches, made in Great Britain

A Stamp Duty of 100l. upon Contracts of Persons serving as Clerks to Attorneys

100l. Admittance for every Attorney

50l. for Contracts of Clerks to Attorneys in Courts of Conscience

50l. for Admittance of Attorneys in the Welsh Courts

That the additional Duties upon Foreign Spirits imported, granted and continued by Acts of 31 Geo. III. be made perpetual

Also upon Sugar, by Act 31 Geo. III. be made perpetual

Also a Drawback on Sugar, allowed by the said Act, be made perpetual

That the said Duties be carried to the Consolidated Fund.

The

The Clerk, according to the usual form, read the Resolutions twice; on the second reading,

Mr. Fox rose, not to offer any opposition to the resolutions, but simply for the purpose of desiring some information on a subject, which did not appear to him to be extremely clear. The Chancellor of the Exchequer, in the course of his speech the preceding day, *Mr. Fox* reminded the House, had drawn a comparison between the produce of the permanent taxes of two different years, on which he grounded his opinion of their probable future produce. The account of the last year, ending the 5th of January 1794, he could not find on the table, or in the printed papers; but found an account of the amount of the taxes for three quarters of that year, ending the 5th of October 1793, from which it appeared that the total produce of all the taxes for that period amounted to 14,800,000*l.*; from which sum must be deducted the produce of taxes that were not permanent, and which could not of course be taken as part of a permanent fund. It was stated in that account that no less a sum than 700,000*l.* was to be deducted from the above sum, because such was the amount of temporary taxes; if then this statement was correct, it would follow that the Right Hon. Gentleman had greatly over-stated the fund, which might be considered as permanent; and consequently he would next year have occasion to apply for aid to make good a deficiency in a fund which he had stated the preceding day as productive to the amount at which he had taken it.

The Chancellor of the Exchequer said, that he had grounded what he had stated upon the most authentic accounts that could be obtained, and he believed they were perfectly accurate. He had first estimated the gross produce of the taxes forming the aggregate fund, at 15,400,000*l.*; and from this sum he had deducted what had been paid into it out of the produce of temporary taxes, and afterwards made allowance for the defalcation that would be occasioned by taxes already repealed, or about to be repealed, which, together, amounted to 110,000*l.* so that the sum on which he might reckon as permanent, would be 15,290,000*l.*—The printed account of the three first quarters of the year 1793, quoted by the Right Hon. Gentleman, was correct and authentic; the difference between it and that, on which he himself had argued, might arise from the different way of making up accounts in the different departments of the revenue. In the Customs, for instance, the gross receipt was generally given, without mentioning how much was to be paid out of it under the head of drawbacks or bounties; whilst the accounts made up at the Exchequer stated the sums actually paid in there; so that

on the first view of the totals of the two accounts, it would seem as if there was some mistake in one of them, though in reality there was not any.

After further conversation, the Speaker put the question on each Resolution separately, which passed without observation on any, except that when the resolution for laying an additional tax on bricks, slates, tiles, &c. was read,

Mr. Balford said, that in the west of England the principal manure of the country was marle; he hoped, therefore, that care would be taken in the framing of the bill which should be brought in on this subject, that marle so used should not be subject to the tax.

The Resolution passed without further remark.

When the question was put on the last resolution, for subjecting every person to be admitted in future to act as an attorney to the payment of 100l.,

Mr. Jolliffe said, there might be good policy in the general purpose which this resolution was intended to answer; but there was a part of it which appeared to him to be highly objectionable.

The Speaker told him that the question then before the House was, whether it should agree with the committee in that resolution? The Hon. Member must therefore admit or reject it *in toto*, for it could not, in that stage of the business, be admitted or rejected in part. If he had any partial objection, he must reserve it until a bill was brought in to give the resolution the form and force of law, and when it was in the committee, he might regularly propose such modification as should appear to him expedient.

Mr. Jolliffe in reply said, he did not object generally to the whole of the resolution, but merely to a part: It might be prudent to subject all persons who may in future be articulated to attornies to the payment of 100l. but he could not think it just to impose this tax on persons already articulated, but not admitted: The reason was obvious; many youths might have been articulated three, four, or five years ago, whose friends could not enable them to pay 100l. for their admission, and who, had they been able to foresee so very extraordinary a tax as this, would have sought some other kind of establishment in life. If the resolution were carried into a law, without modification, it would place them precisely in this situation—that the time they have hitherto passed in qualifying themselves for the profession of the law, would be entirely lost to them; and many of them would be left to learn some other business, at a time of life when young men have generally served out their

apprentice

apprenticeship. He gave notice, therefore, that he would oppose a *retrospective* operation of this resolution, when it should appear before the House in the shape of a bill.

FRENCH PROPERTY BILL.

This bill was upon motion read a second time ; and upon the Speaker's putting the question, " That this bill be committed,"

Mr. Jekyll rose, and claimed credit from those who heard him, when he declared he did not mean to oppose a bill upon the principle and object of which he believed there could not be two opinions ; he begged to be understood as not meaning to offer the slightest objection to it, but intending merely to offer some suggestions which appeared to him material, for the better effecting the object all had in view by the measure. The title of the bill professed it to have two objects, the one, to prevent the ruling power in France laying hold of the property of French subjects in this country, as a means to enable them to carry on the war ; the other, to secure the said property for the benefit of the owners, when that period should happily arrive, when peace should be restored between the two countries.

He said, he had attended to the bill minutely on the second reading of it ; and whatever provisions it might contain, or however wisely they may have been adapted, with regard to the first of these objects, he could not find in the bill any provision whatever for adequately securing the latter. That difficulties occurred in the attempt to establish so desirable an object, he was well aware, and he hoped and trusted, that they would not only be seen, but met by the united wisdom and talents of that House, although he confessed that at present they were such as, from the consideration he had as yet been able to give the subject, he was unable to point out a remedy. The property of French individuals vested in our funds, he had heard stated at 250,000*l.* at least it was said not to exceed that sum. He could not help dreading the danger of exposing persons in France to persecution and death, if any public authenticity were adopted for the ascertaining and preserving to them their individual properties ; and yet he had an invincible objection to that which might appear necessary, namely, the appointment of a secret commission for the purpose of ascertaining the nature and extent of those debts which are to be so retained. Another point on which he entertained doubts was, the property of individuals being left in the hands of the merchants here, and thence rendered subject to all the vicissitudes of trade and its consequences. That which they might receive at the present day, they might lose in the course of

success of the war; but that it is practicable, safe, and honourable, the Noble Lord has not even attempted to prove. That the war had no defined object, and could have been avoided by negotiation, are charges not very consistent; and it might puzzle even the Noble Lord's talents in negotiation to treat on a subject he was incapable of defining. The object of the war was however clearly ascertained; it was to be found in the spirit and motives of the demagogues of France for commencing it; motives distinctly stated and avowed in all their decrees from the 16th and 19th of November 1792, down to Barrere's Report to the Convention of last month, received with acclamation, and which holds out to Great Britain the price of peace, namely, the surrender of its constitution. They began by repeated declarations that the right of insurrection was the most sacred of the rights of man; and in the decree of the 19th of November they offer, in all languages, assistance to all people desirous to exercise that sacred right in order to recover their liberties. This avowed intention was sufficient to give the most serious alarms to every regular government in Europe. But they did not confine themselves to general doctrines, and general intentions; for by the decree of the Executive Council of the 16th of November, they put their system in practice against an ally of Great Britain, and in a manner that unequivocally proved the blow to be intended at the existence of Great Britain, and that the ultimate object was to make the rights of man (a phrase for anarchy) triumph on the ruins of her long-boasted and long-envied constitution. The decree of the 16th states "*the privileges of Holland on the Scheldt to be contrary to the law of nature, which the French have sworn to maintain*"; that the destruction of that right (which Mons. Chauvelin, in his letter of the 27th of December to Lord Grenville, says is of no importance in itself) will convince all nations that the extinction of all the tyrannies of Europe, and the triumph of the rights of man, is the sole ambition of the French Nation." And they do not leave us in any possible doubt what those tyrannies are; for Mons. Monge the Marine Minister's letter to the ports of France, 31st December 1792, says that the two tyrannical powers of Spain and England will quickly be destroyed; and for that purpose, with respect to England, a descent will be soon made in that island, and 50,000 caps of liberty lodged there. These are unequivocal proofs of a defined intention. The object of the war therefore on our part is, resistance to this avowed purpose, and security for the rights, liberties, and constitution of Great Britain and her allies. That it could not be avoided by negotiation, is proved beyond a doubt by Mons. Chauvelin's
answer

justice and humanity, and his determination to persevere to its final and complete extinction, were undoubtedly the same they had ever been; but his present motion would only go to prevent our supplying Slaves to Foreign Nations. He would only make two observations: First, he would remind the House that the supporters of the Slave Trade had rested their cause on the ground of its being necessary to the well-being of our own West Indian possessions, which could not otherwise be supplied with labourers. They who were sincere in this objection, instead of opposing his present motion, ought most warmly to defend it; for, instead of abridging that supply, it must tend rather to increase it, and to prevent our raising up the West Indian possessions of foreigners into competitors with our own.

He must next desire the House to recollect that it had been universally declared (whatever doubts there might be concerning the effects of abolishing a trade that had so long existed), that if the Slave Trade had as yet no existence; and it were for the first time proposed to set it on foot, there could not be two opinions on the subject. He was happy in being able to say that the trade against which he was now directing his efforts, was almost, if not altogether discontinued, at the present moment; all therefore who were honest in the preceding declaration would of course unite with him in preventing its revival.

If any objections should be brought forward, he reserved to himself the right of replying to them. He would then only move for leave to bring in a bill for abolishing the trade for supplying foreign territories with slaves.

The Speaker informed Mr. Wilberforce, that as his motion concerned the trade of this country, it was necessary that it should originate in a Committee of the whole House; and that the only regular step that could be taken then was, to move, That this motion be referred to such a Committee.

This intimation being adopted, it was moved, "That this motion be referred to a Committee of the whole House."

Sir William Young rose to oppose the motion. *Sir William* said, he applauded the humanity with which the Hon. Gentleman was actuated, but found himself, after mature deliberation of the subject, bound to give his negative to the motion then before the House, as he had done to every other on the same subject. He considered it as a motion better suited to theory than practice. He thought it objectionable in various points of view: It was inefficient for the purpose professed to be its object, it was unequal in itself, it was dangerous in point of time and experiment, and finally, it was vexatious to mer-

chants concerned in our West India trade. Sir William adverted to the situation of the foreign West India islands; that trade, which the present bill went to abolish, had now, he said, hardly any existence; from the French West India islands, the persons engaged in this traffic were entirely excluded, and the trade to the Spanish islands was at an end, as he understood the persons who had contracted for that, were not now in a situation to continue to carry it on. He therefore thought the bill would be useless at the best, and should therefore oppose it, and did not doubt but he should have a majority; as many of the Gentlemen who concurred in the former vote, for the gradual abolition, did it from a hope, that it would settle the minds of the people upon the subject, and set the question at rest.

Mr. Whitbread began with declaring that he would not enter into a discussion of the merits of the bill proposed to be brought in by the present motion: But it was matter of singular regret to him that this subject had not been more attended to in another Assembly, and more earnestness manifested respecting a matter of so much magnitude in itself, and so much serious importance in the cause of humanity. He hoped the Hon. Mover of the question would persist in his first resolution upon this subject for the total and immediate abolition of this abominable trade. He should be sorry indeed to see an abatement in the zeal of that House upon the subject. If they acted as they had done with a view of passing the matter by, without determining upon it, that was not, in his humble opinion, much to their credit. It was the undoubted duty of the House of Commons to watch their conduct, and shew them that they were not less zealous at this time than they were when they carried up their resolution: That they were determined to keep the subject alive; that they would agitate it day after day, and from time to time, until they had brought that Assembly to a sense of their shame, and a determination to do their duty, which at present they seemed unwilling to do. He therefore would put it to the Hon. Gentleman as a question, whether he did not think it his duty to renew all his former measures for the abolition of the Slave Trade? It had been said, that the time was inconvenient for agitating the question, and that the danger was great. No time could be inconvenient; no danger could be so pressing as to allow that House to continue such gross injustice, as that which attended the Slave Trade. The Hon. Baronet, who opposed the motion then before the House, went some time ago to the West Indies; when he came back, it was said that he gave it as his opinion that the abolition of the Slave Trade was practicable; if so, there could

could be no doubt of its expediency. It had been stated also by the Hon. Baronet that day, that almost the whole of the foreign trade, the object of this motion, was at an end. Ought we not then to take the earliest opportunity of wiping away this stain upon our national character, especially when doing so would not even be prejudicial to our commercial advantages? The Hon. Baronet had said, that the bill just moved for, would be troublesome and vexatious to the merchants who were concerned in the trade—What was the trouble of merchants making up accounts? What was the vexation of being obliged to attend to the register of ships, and the examination of a few dockets, when put in competition with the continuance of a great, a gross, and crying injustice, that revolted humanity and disgraced the national character? What was the trouble of a few merchants, or their agents, upon a few points in trade, when compared with a traffic carried on by means of rapine, blood, and the murder of thousands? Such objections were as absurd as they were mean and artificial. Prejudice had too long defeated the admirable attempts of mercy. It was now necessary that the commotion should subside, and the unhappy African be indulged, not merely with the prospect, but the possession of peace. Surely it was not possible for that House to suffer such a system of infamy to continue. What reason was there that we should sanction a practice which deprived mankind of almost all the rights they were entitled to by nature? If he was justified in these observations, the House, he conceived, would not negative the motion before them. Before he sat down, however, he wished to say, that his chief motive in rising was for the purpose of calling on the Hon. Gentleman who made the motion, to renew his former resolutions, and to bring them forward speedily.

Sir William Young spoke shortly in explanation.

Colonel Cawthorne opposed the motion, in a speech of considerable length. He said, that every credit was due to the exertions of the Hon. Mover; and he could not help expressing his concern, that the act of last year had been frittered away by repeated modifications, by which means that act was rendered perfectly nugatory, and he trusted that this would appear so too. He avowed his intentions of opposing every measure that had the smallest reference or tendency to an abolition of the trade. When the disadvantages to private property, when the deficiencies of public revenue, which such a measure would occasion, were considered, in his opinion, it demanded the most firm and persevering opposition. This was justifiable, if necessary, both on patriotic principles and for the sake of individual security; but in the present case

case it was not necessary, because the proposition itself was nugatory. It was nugatory in the retrospect to the cessation of commerce between foreign colonies since the commencement of hostilities: It was nugatory, since the proclamation of French sentiments, and the confused condition of the French republic. Whatever were the pretended motives of religion, justice, and humanity, he suspected the real motives of the enthusiasts who proposed the abolition of the Slave Trade, and still persisted in believing that their proceedings were rather attributable to their disaffection. That party had for years betrayed symptoms of their hatred towards the constitution of this country. It became an obligation of duty, therefore, to counteract the premeditated evil, and prevent the danger before it raged beyond the reach of remedy. There might possibly be a collusion with other agents, a combination of conspiracies, wherein the attainment of this object would encourage them to purposes of greater outrage, and finally establish that system which it was only concerted to destroy. He would therefore vote against the motion, believing sincerely that all thoughts of abolishing the Slave Trade originated wholly and entirely with those who were the enemies of this country and the constitution of it, both in church and state.

Mr. Dent opposed the motion also, and remonstrated against the formality of a committee on the subject. Whether partial or general, the measure was, in his idea, so contrary to that policy by which this nation had been supported and enriched, that it appeared to him that none but enthusiasts could approve it. Already the question of the abolition of the Slave Trade, which but two years since was so loudly and so vehemently condemned, had been wrecked; and only a few of the partizans that so eagerly embarked in it, were left to collect the disjointed materials of their venture; and even these in a short time, he doubted not, would be engulfed in oblivion. On the present project depended the final abolition, and then what would be the result, but anarchy and rebellion? He proceeded to state the supposed evils attending a final abolition, and repeated several of the opinions that had before been published at the time that measure was in agitation, when——

Mr. Jenkinson rose to speak to order, and requested the Speaker to state the question before the House, for the Gentleman's information.

The Speaker complied.

Mr. Dent rose again, and apologized for his digression. He feared that the present was not a time for the prevention of the Slave Trade with foreign colonies, as many of our merchants might be ruined by it. Failures at Liverpool, to the
extent

extent of 300,000l. had already happened, some of which he suspected might have partly originated in consequence of the proposed abolition; more perhaps might follow, and our growing prosperity be thus unfortunately checked. He took a view of the situation of our colonies, and the condition of the negroes, and anticipated the consequences of their emancipation. He next proceeded to advert to the species of reform which was in his opinion necessary in every constitution——when he was stopped by the interference of the Speaker, for irregularity; upon which he concluded, with declaring that he should give his negative to the motion.

Alderman Newnham said, he must give his negative to the motion, as it might lead to the ruin of individuals, and the diminution of the supplies of the state. Hitherto we had evinced the necessity of securing private property; and now we were called upon to be the first to invade it: Hitherto we had been distressed for raising the supplies required for the public service; and now we were subtracting those which imposed no burden of severity, and of which no complaint had been made. For what reason should we emancipate those, who, from indisputable authority, had been proved to be in a better condition than the labouring peasants in this country? Much had been urged, of the cruelties that they suffered, and the barbarities of their masters. History had been traced back for more than a century, to search out and select the records of these abominable crimes; and what had been thus diligently sought after, had been aggregated and exaggerated, to serve the purposes of enthusiasm, and delude the weak and pitying multitude. The same means would apply to render matrimony detestable. Every Gentleman was aware, that, in the marriage state, which was dignified with the epithet of *blessed*, there existed petty feuds and resentful animosities. Every Gentleman had read and heard of infidelity and punishment, of flagrant enormities, of men beating their wives, and wives injuring their husbands, of acts of violence, and not unfrequently of murder. Would any one, because these abuses have existed, maintain the necessity of abolishing the nuptial law? The Alderman contended that the similitude was just, and the conclusions were the same. Slaves in the West Indies were confessedly happier than in their native country; and experienced, in general, as mild and attentive treatment from their masters, as servants do in England: Nay, their treatment might almost be said to be equal, in every degree, to that which children received from their parents. There was a mutual interest between the planter and the slave, which enforced

would be highly detrimental to prevent their disposing of them to the planters of foreign islands. In his mind it threatened the most fatal consequences. If the trade were already dropped, he said, the motion was useless: If it was not, it would be injurious; and, therefore, he would vote against it.

Mr. East gave it as his opinion, that however political it might be to attempt to conceal it, the real question aimed at was the total abolition of the Slave Trade; and therefore he conceived that *Mr. Whitbread*, though differing totally in opinion with him, had met it in the most manly way. The motion appeared to him to be inconsistent with the previous resolutions of the House for a *gradual* abolition of the Slave Trade, inasmuch as it went to an *immediate* abolition of part of that trade. When the abolition had been first proposed, it was universally allowed, that a subject of so much importance ought to be discussed with caution, with deliberation, with candour, and solemnity. Every party was to be heard, and every part of the subject to be examined. That example had been imitated by the Lords. Two years had been occupied in the discussion of the measure by the Commons; and as the Lords must necessarily be equally desirous of gaining the fullest information, before they came to decide upon the result of a comprehensive and complicated body of evidence, they merited the utmost praise for proceeding with extreme caution and extreme deliberation. Whenever the House of Peers was mentioned, *Mr. East* said, it ought to be with that reverence and respect which their rank and situation claimed. He contended that this was not the time for any alteration in the compact with the slaves. When war raged abroad, and distrust and jealousy prevailed at home, it would be manifestly wrong to risk any additional evil. When the minds of the slaves were heated and agitated as they had been by the excitement of false hopes, and when we were desirous of retaining the esteem and confidence of the merchants and planters in our West Indian colonies, it was improvident and dangerous in the extreme to excite apprehension and alarm, or publish doctrines which, however specious in the theory, might by their practice precipitate and entail ruin and fruitless remorse. After a variety of attempts, and a tedious process, to accomplish an abolition of the trade, the measure had been overruled by a large and decided majority. To quiet the minds of the Gentlemen, however, who had been inflamed or misled by the false philosophical expressions of humanity, which he believed subsisted more in words than thought, some alleviation had, he supposed, been given by the consent of that House to a gradual abolition. Yet but a short time had elapsed before

before the self-same propositions are made *de novo*, though brought forward in an assumed disguise; for exactly what those propositions were in substance, the present were in fact. Mr. East concluded with saying, that he should give his decisive negative to the motion.

The Chancellor of the Exchequer observed, that his Hon. Friend (Mr. Ryder) had already shewn the inconsistency of the arguments used by the Hon. Gentlemen who opposed the present motion; it was unnecessary, therefore, for him to go over the same ground. The Hon. Gentleman who spoke last, had indeed endeavoured to prove some inconsistency between the present motion, and the former resolutions of the House: He therefore wished to recal distinctly to their recollection what those resolutions were, and what were the grounds on which they passed. The Hon. Gentleman who spoke last had said, that the House had passed those resolutions on the principle "*of thereby setting the question of the Slave Trade at rest.*" He wished to know what the Hon. Gentleman could mean by that expression? Was it to be supposed, that the House meant, by passing a resolution gradually to abolish the Slave Trade, to do nothing else than pass the resolution, and never actually to abolish it? And yet this was the only way in which he could understand the Hon. Gentleman's observation to have any weight, as applied against the present question.

The case was shortly this: The House had resolved totally to abolish the Slave-Trade in the year 1796. His Hon. Friend (the Mover) had, indeed, previously proposed the immediate abolition, and he had himself, together with many others, given his vote for that question; a vote which the more he reflected on it, the more was he satisfied with having given, and which he was persuaded he should never repent of to the last day of his life. The House, however, had thought proper to negative the motion for an unqualified abolition: But on what ground had they done it? Not on the ground of their wishing, with the Hon. Gentleman who spoke last, to perpetuate the Slave Trade, who was left in a very small minority when that question was at issue: Not on the ground of their wishing, a very long continuance of it, as the subsequent vote to abolish it in 1796 plainly shewed. But they negatived the question of immediate abolition, and agreed to abolish it in 1796, on the following ground:—It was thought by many that if the Slave Trade was so suddenly put an end to, great and serious mischief might be done to our West India plantations; it was thought also by some, that however justice might call for the abolition of the trade, yet there were some opposing claims of justice also to be considered, and that on

these grounds some time ought to be given, it being at the same time generally admitted, that the trade was of such a nature that it was not fit to be continued.

These objections to the immediate abolition had not weighed indeed with him; he had endeavoured to prove the fallacy of them. Gentlemen who favoured the longer continuance of the trade had argued for its continuance, and those Gentlemen who objected to any abolition at all had, in like manner, been heard in favour of their proposition. The House had decided between these several parties; never was a question more fully argued; and he appealed to the House, whether, judging from the expressions then used in debate, as well as from the very nature of the vote that was passed, the grounds and principles which he had mentioned were not those on which the resolution come to by the House of Commons was founded?

Where then was the inconsistency of the motion now proposed? The House having determined that the Slave Trade shall be abolished, but having postponed the period of abolition till the year 1796, on account of some supposed detriment or injustice to our West India islands, a motion is this day made to abolish *immediately* that part of the Slave Trade which does not respect our West India islands, but which applies to the foreign islands only. It was also to be observed, that the foreign Slave Trade having actually ceased of itself, the motion was not so much a motion to abolish it, as to prevent its revival. The question was, whether we should suffer British subjects again to set on foot a branch of that trade, the whole of which the House had condemned as unjust, and had on that ground forbid the continuation of beyond 1796? It was by no means inconsistent to abolish a part of that now, of which the whole was determined to be abolished two years hence. On the contrary, the measure now proposed might be considered as one step towards the gradual abolition that was agreed upon.

An argument against the present question had been attempted to be drawn from the proceedings on this subject now pending in the other House. In his opinion, the consideration of those proceedings led to the adoption of the present motion. Without entering into the particular discussion of any thing that had passed in the House of Lords, he thought it proper to observe, that their Lordships had, in point of fact, spent only four days in the whole of the last year in examining the Slave Trade evidence.

What were the reasons that induced the House of Lords to bestow so few days on the examination of a subject which had

so deeply engaged the House of Commons, and had occupied so vast a portion of the time of their Committee, it did not belong to him to inquire. He wished to speak with that respect which was due from one House of Parliament to the other, and he must presume, therefore, that their Lordships had good reasons for the slowness of their proceedings; but if he assumed this to be the case, he was only bound so much the more to vote for the present motion, the object of which was, to separate that part of the Slave Trade in question, which was short and simple, and admitted of a more immediate decision, from that other part of it, which involved so long an examination. He thought the House was bound, therefore, on every principle of consistency, to send up a separate bill to their Lordships for the abolition of the Foreign Slave Trade; for the continuance, or rather the revival of which, no man could say that any argument, either of necessity or of justice to individuals, or of great national policy, could be pleaded. Under all the circumstances that he had stated, Mr. Pitt ended by observing, that all those who had voted for the immediate abolition, must unquestionably vote for the present motion; all those who had voted for the resolution agreed to by the House to abolish the whole trade in 1796, on the grounds which he had stated, would also vote for the present motion; all those who had favoured a gradual but more distant abolition on the same grounds, must also vote for the present motion; all those who, though they were against a general abolition, were against it only on the ground of danger to our West India colonies, would also vote for the present motion. He added, that all those Gentlemen who were against a general abolition on other grounds, *might* nevertheless vote for the motion; for the abolition of the Foreign Slave Trade was altogether a distinct question from that of general abolition. The proposition then before the House, was one which all friends to the general abolition, of whatever class, must agree to, and in which many even of its enemies *might* join on very obvious grounds, without any impeachment of their consistency.

Mr. Payne professed himself to dislike the motion. He admitted, that when humanity was opposed to interest, the latter ought to give way; in the present instance, however, he was of opinion, that the natives of Africa were not yet sufficiently matured by civilization to receive their liberty and freedom; and that emancipating those who were not sufficiently enlightened to understand and feel the blessings of liberty, would be like putting a sword into the hands of a madman. The slaves in Africa, it was generally agreed, were in
a much

opponents; and as advantage had been taken of his having purposely forbore from arguing against the injustice and cruelty of the Slave Trade in general, as being unnecessary to his present purpose, he must begin by reminding Gentlemen, that there was a place called Africa, where the effects of this detested traffic were every-where written in characters of blood.

He must next remind them of what they appeared to have forgotten; that there were such principles as justice and religion. Gentlemen were fond of talking of humanity, but the term was so indeterminate in its application, and had been so grossly abused, that, for his part, he was almost sick of it; and was rather desirous of resting his cause on the solid, unalterable principles of justice and religion.

An Honourable Member behind him, who was in the House when the business was first agitated, and having been some time out of Parliament, had lately resumed his seat, must, he thought, have been asleep during the interval, or he would not have again revived that antiquated, and so long dormant argument, that if the Slave Trade should be abolished, the slaves in hand, not finding purchasers, would all be massacred. If the Hon. Gentleman was really in earnest, it might be sufficient to refer him to a recent fact, which had been stated by his Hon. Friend, that when, in consequence of the demand for slaves having been lately lessened, the captains of certain slave-ships which were on the coast, thought they might take the opportunity of greatly reducing the prices, the natives refused to consent to the abatement, and declared, they would set the slaves to work, rather than sell them at so low a rate. But he need not resort to this solitary instance: The accounts received by the Sierra-Leone Company shewed that the declension of the Slave Trade, instead of being followed by any bad consequences, was every-where producing and favouring the growth, and progress, and general prevalence of commerce, agriculture, and civilization, throughout the desolated coast of Africa.

Several objections had been taken against his present motion, on account of some particular clauses contained in his bill of the last year, but it was wholly out of order to discuss these in the present state of the question. He was now only moving for leave to bring in a bill, and for aught any Gentleman had a right to say, the bill he should now bring in might be extremely different from that of the last year.

But the arguments which had been urged against him the most confidently, were grounded on this being an improper time for the bringing forward of this subject in any shape, for

for his own part, he was of a directly opposite opinion, being persuaded that, for many reasons, the present time was above all others the fittest for the purpose. In the first place, as he had before stated, the foreign Slave Trade had, at this time, almost entirely ceased; all therefore that was now necessary, was to prevent its revival. In the next place, this certainly was a time when, of all others, it was desirable to impress the public mind with respect for the character of Parliament, and it could not but produce sentiments of a very different nature, if, in direct violation too of their own solemn declarations, they should appear willing to return again to a system of wickedness they had determined to abandon.

But he must go still further; what opinion would be formed of the House of Commons, if, after declaring in their late Address to his Majesty, in the face of all Europe, "That they would study to render their conduct a contrast to that of their enemies, and, by cultivating and practising the principles of humanity, and the duties of religion, would endeavour to merit the continuance of the Divine favour and protection, which had been so eminently experienced by these kingdoms," if they were so soon to forget this solemn declaration, and to act on the very principles they had affected to condemn? There was no man, Mr. Wilberforce said, who was, perhaps, more deeply impressed than himself, with a sense of the enormities that had been practised in a neighbouring country; but he must plainly declare, that the Slave Trade afforded throughout but too faithful a parallel. Did the French seek to fill their exchequer by confiscations and unjust convictions? So did we, by our agents in the Slave Trade. Did the French seek to enrich themselves by rapine and slaughter, by acts of injustice and violence at home, and by depredations on their neighbours? This was the very picture of the Slave Trade as carried on in Africa. And as for the shocking impieties of the French, the Slave Trade, he must say, was a system of practical atheism; and he thought Gentlemen ought either to avow the principle, or abandon the practice. It was most of all disgusting, to hear men take the name of religion into their mouths, and then disgrace it by the shameless violation of its dictates. This, he confessed, was to his mind a most awful consideration. The present was a critical period, when every one who did not disclaim the very idea of the protection of Providence, must be solicitous to avert the gathering storm, by desisting from whatever might tend to draw down the Divine vengeance.

The guilt of such a system of wickedness and cruelty as the Slave Trade, was a load of which every serious well-wisher to

his country would gladly disencumber her. "Let me sit heavy on thy soul to-morrow." The consciousness of such crimes, deliberately and systematically adhered to, was enough to weigh down the spirits of every religious mind.

With regard to the appeal which had been made to him by an Hon. Member (Mr. Whitbread), he felt the more disposed to attend to it, because of the uniform and zealous support that Gentleman had always afforded him. He would assure the Hon. Gentleman, that his zeal was in no degree abated; he certainly thought, on the whole, that it was better, on the day on which he was then speaking, merely to bring forward the bill for preventing the supplying of foreigners, but he would not pledge himself for what he might do the very next day; and as his resolution never to desist from his efforts till a complete abolition should be obtained, remained as strong as ever, so he should certainly lose no opportunity of carrying his determination into effect.

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| The House divided, <i>for the motion</i> | - | 63 |
| <i>Against it</i> | - | 40 |

The bill was then ordered to be brought in.

SALARIES, &c.

Mr. Fox signified from *Mr. Sheridan*, that he should be ready any day in the next week, to make his motion on the Salaries and Appointments of different Gentlemen, since the commencement of the war. It was then understood that it would come on on Tuesday, if *Mr. Wigley's* motion should not be very long.

It was understood also, that *Mr. Fox's* motion on the Convoys should stand for Thursday.

Adjourned to Monday.

HOUSE OF LORDS.

MONDAY, February 10.

The Earl of Lauderdale (on the part of the Marquis of Lansdown) gave notice of the intention of the Marquis to bring forward a motion on Friday next, tending to give peace to the country, upon which he moved their Lordships to be summoned.—Ordered.

The Earl of Albemarle moved, that their Lordships be summoned for Monday next, when he would state his sentiments in support of a motion which he should take the liberty of offering to their Lordships on the subject of the illegality of landing foreign troops in England, without the consent of Parliament previously obtained.—Ordered.

HANOVERIAN TROOPS.

Mr. Whitbread rose to submit a motion to the House, to which he did not conceive any opposition could be given. By the Papers upon their Table, it appeared that a body of no less than 18,000 Hanoverian troops had been taken into the pay of this country. There had also been laid upon their Table, a number of Treaties entered into by the King of Great Britain and several German Princes, upon the subject of taking their respective troops into British pay; but among these he could not find any contract or treaty, by virtue of which the Hanoverian troops were so subsidized. Now it was certain, that Hanover was a Sovereignty perfectly distinct from that of Great Britain; and that his Majesty was to be considered in a distinct and different point of view, as Elector of Hanover and Sovereign of Great Britain; he conceived that some such Treaty must necessarily have been entered into, by virtue of which the troops alluded to were employed. *Mr. Whitbread* concluded with moving, "That an humble address be presented to his Majesty, praying that he will be graciously pleased to give directions that there be laid before the House a copy of the treaty entered into for engaging troops from the Elector of Hanover, in the pay of the King of Great Britain."

The Chancellor of the Exchequer said, it was not a novelty for this country to employ Hanoverian troops, but he believed that this was the first time a treaty between the King of England and the Elector of Hanover had been talked of. His Majesty united in his person these two powers. There had been no such thing as a treaty on the subject of the employment of the Hanoverian troops in the service of Great Britain; nothing of that sort had ever existed. But there were articles in which his Majesty engaged to employ certain troops from Hanover in the service of this country, under certain specified conditions. These articles were communicated from the Secretary of State to the Board of Treasury. He repeated it, that he had never heard of such a paper being moved for as a treaty between the distinct powers of King of England and Elector of Hanover, but he saw no objection to producing the articles he had mentioned, if the Hon. Gentleman would reduce his motion into a proper form for that purpose.

Mr. Whitbread said, he had no objection to any modification of his motion, or to any form of phrase that might be suggested, provided he obtained the substance of what he wanted: Treaty, Agreement, Communication, were terms alike to him; he wanted the instrument in which the *Elector of Hanover* engaged

to supply the King of England with troops; the Right Hon. Gentleman should give it a name, and he would then move for it.

The motion was then put in the following form: "That an humble address be presented to his Majesty, praying that he will be graciously pleased to give directions that there be laid before the House a copy of the articles, according to which, his Majesty has been pleased to order his Electoral troops to be employed in the service of Great Britain."—Ordered.

LANDING OF HESSIAN TROOPS.

Mr. Grey said, in consequence of a notice he had some time since given, he rose to make a motion which appeared to him to be of essential consequence to the Constitution, and to the liberties of this kingdom. It was not necessary at any time, *Mr. Grey* observed, but least of all at this time, for him, or for any member of that House, to make an apology for bringing a motion forward, when he saw, or thought he saw, any measure which appeared to be an attack upon the constitution; and not the less dangerous on account of its being in its tendency an increase of the royal prerogative, than it would have been if it avowedly flowed from a spirit of popular encroachment on the power of the crown. These points were equally objectionable to him, because he considered them to be equally hostile to the spirit of our constitution.

He said, he should wish to clear the question from all extrinsic matter, and disencumber it of all considerations with which it was not immediately connected. The point which he had to establish, was in itself plain and simple; and that it might not be mixed with incidents and objects of discussion that were foreign to it, he should set out with declaring, that, as far as related to the present question, he did not mean to consider how far it might or might not be expedient to introduce at this time foreign troops into this country: His object was, to prove, that, whether expedient or not, the measure itself was clearly unconstitutional and undeniably illegal; that the King had no power to introduce them without the consent of Parliament. Occasions might occur so alarming and so dangerous, that it might in such cases be proper to introduce foreign troops into this country, but he conceived that it should never be done except in cases of extreme exigency and proved necessity: He would boldly affirm it never could be done legally but by the consent of Parliament; and never should be suffered to be done without being watched by the House of Commons with that constitutional jealousy which was the best part of the character of that House, and the best security for the rights and liberties of the people. A worthy
Alderman

Alderman (Alderman Newnham) had on a former day expressed his satisfaction at the landing of these foreign troops in this country, because, he declared, he was persuaded that they were intended for the defence of this country. Having no information, he had nothing to say upon that occasion; but although he was not ready to deny, that, for the purpose of our own defence, we should sometimes employ foreign troops, yet he could not help thinking, that the wisest course for us to pursue in general would be, to rely on what, upon a former night, had been emphatically termed "the energy of an armed nation." These, however, were considerations not immediately within his purpose. The point which he had to maintain was that which he had already stated, namely, "that it was contrary to the principles of the constitution, and against the laws of this country, for the King to introduce, under any pretence whatever, foreign troops here, without having previously obtained a Parliamentary sanction for it." This was the sole point he meant to discuss, and it was clear to him that the King had no such right. If the King had a right to introduce into this country foreign troops without the previous consent of Parliament, and that the exercise of that right was expedient at the present moment, let Gentlemen who thought so come forward, avow their opinions, maintain them by argument, and meet his proposition with a direct negative. If, on the other hand, the legality was admitted to be doubtful, but the exercise of the power under the present circumstances expedient, still he hoped the point itself would be fairly argued and finally determined and closed, instead of being avoided by the accommodating shift of a previous question. The question he must again repeat was this, "Has the King, or has he not, at any time, under any pretence whatever, a right to introduce into this country any foreign troops without the previous consent of Parliament?—Is that act, or is it not, legal?" This was a point on which there should be no shifting, he expected it to be finally determined that night, and that the question, by the decision of the House, would be set at rest for ever.

In examining the nature and merits of the question, Mr. Grey said, it would not be necessary for him to recur to the earlier period of the military law of this country; we know that in those ancient times there was no such character known as a regular soldier; inferior lords held military tenures, and supplied the state by a number of their vassals for a limited time. Neither in the time of Charles the Second had there been any such thing recognised by the common law of the country, as a standing army, except an army created by Parliament;

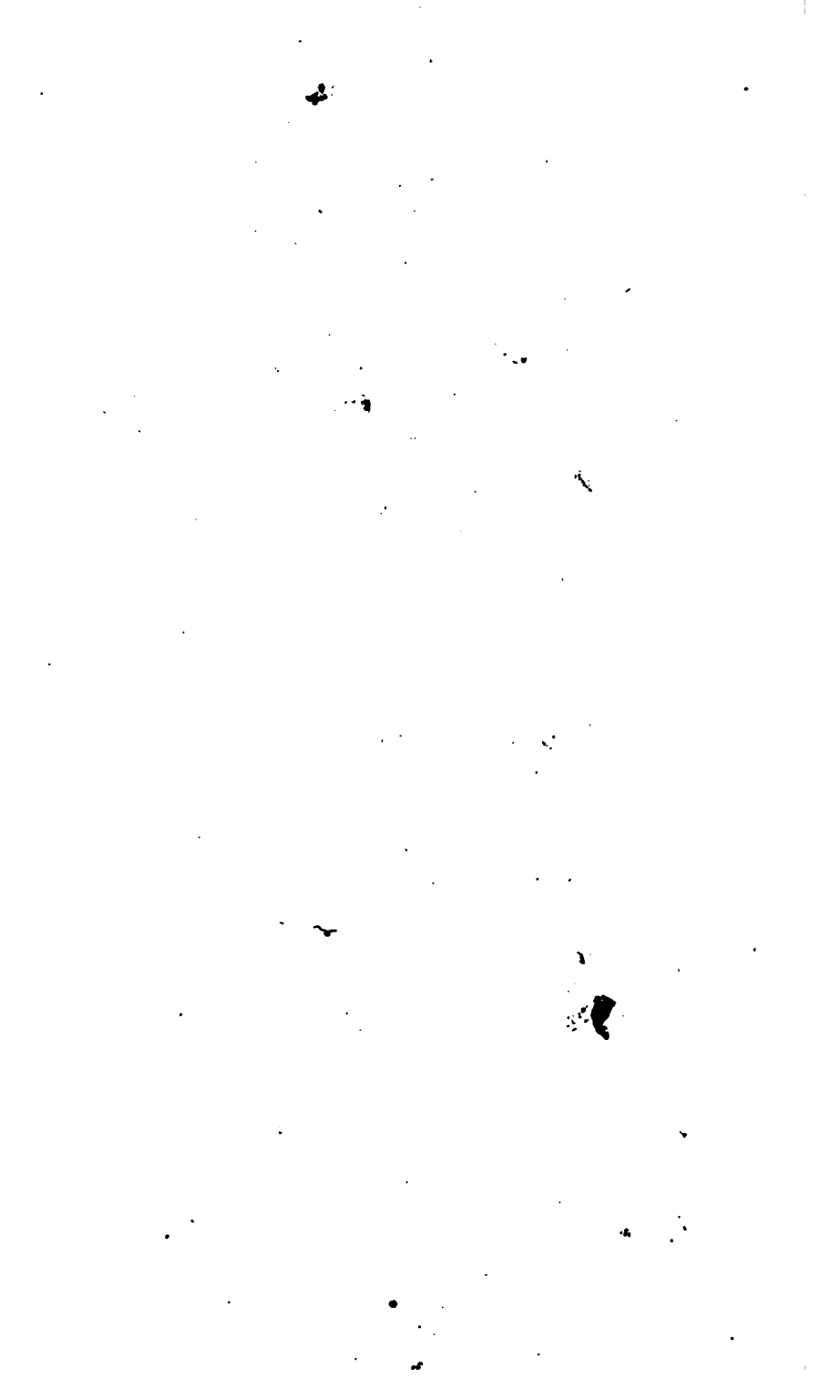
of Chatham was then a member of the House of Commons, and he said, that the landing of these troops was unconstitutional, and that he would impeach the minister who should dare not advise his Majesty to do so: Upon which the Act of Indemnity was passed. Mr. Grey alluded to the 29th of Geo. II. when the Marine Mutiny Bill was first passed, and also to the 8th of his present Majesty, to prove that the King had no power to have foreign troops in this country without the previous sanction of Parliament. He stated that upon the Parliament of Ireland increasing the military establishment of that kingdom from 12 to 15,000 men, it was so thoroughly understood, that the Crown had no right to make use of such additional force within the British dominions, without the previous concurrence of Parliament, that this act was passed expressly for that purpose. And here he conceived he might rest the case, but that, as he had before observed, there had of late been a disposition and a practice very much to argue every thing upon precedent. To the weight and force of precedents in the decision of any question agitated in that House, he confessed he was not inclined to pay that implicit respect, which seemed to be demanded in their favour; where they tallied with the eternal fitness and principles of any measure, they no doubt should have their weight. If any man could produce a precedent every Session of Parliament since the Revolution, for a measure which appeared to him to be bad in itself, and contradicted the principles of the Revolution, he should pay but little regard to any of them. He need not however make this observation on account of his argument, as he apprehended there was in reality no precedent for the landing of these troops, under such circumstances as belonged to the case. He stated different instances of messages from the Throne, immediately relative to the landing of foreign troops in this country, from the year 1715, down to the present time. Upon the introduction of Dutch troops, he did not find there was or had been any Parliamentary proceeding. In 1745, upon the introduction of Hessian troops, the King sent a message to Parliament, in which it was observable, that his Majesty stated both the precise numbers of the troops so brought over (which had not been done in the present instance), and the occasion and necessity of sending for them, namely, the preparations making in the ports of France for the invasion of this country, and the actual landing of a body of French troops in Scotland. The address in answer to this message, although it passed that House, yet was strenuously opposed in the Lords, and a protest entered against it, in which the prerogative of the measure was questioned and resisted, as dangerous and unconstitutional. In like manner in 1756, previous to the introduction

tion of the Hessian troops, a message was delivered from the King, acquainting the Parliament of the circumstance. And the Commons, in answer, besought his Majesty to add to that foreign force, by bringing over a body of Hanoverians. Upon this occasion it was likewise observable, that at the close of the Sessions, their Speaker (Mr. Onslow) made a celebrated speech to his Majesty in the House of Lords, and in addressing the Throne, reminded his Majesty of the danger and delicacy of introducing foreign troops, of the alarm which such a measure must necessarily create throughout the kingdom; expressing likewise the confidence of the House, that his Majesty would make a wise and temperate use of the important trust reposed in his hands. Mr. Grey said, he would next state the case of the year 1775, when the bill of indemnity was passed the House upon occasion of substituting foreign troops at Gibraltar and Minorca in lieu of those sent to America. And he said, he hoped to find the talents of a Right Hon. Gentleman (Mr. Burke), who had so eminently distinguished himself upon that occasion in opposing the prerogative of the Crown, equally alive and active upon the present in the support of the same constitutional principles. Ministers at that time thought fit to defend themselves upon the necessity of the measure, but gave up every pretence that it was either constitutional or legal, and screened themselves behind a bill of indemnity: Against that measure there had been a very spirited protest entered on the Journals of the House of Lords, and signed by many of the highest characters in the Peerage; among them the Duke of Richmond, who was at this time one of the Cabinet advisers of the King, and who possibly might at this day think that measure legal and constitutional against which he had protested in the year 1775. The Right Hon. Gentleman opposite him (Mr. Pitt) had insinuated, for he had not asserted it openly and boldly, that the check the House of Commons possessed over the improper exercise of this prerogative, consisted in the bill which that House might be called upon to pass, for billeting those foreigners in like manner as our native troops. What degree of check they possessed by the necessity of such a bill, he left Gentlemen to judge who contemplated the unceasing and extensive increase of barracks throughout the kingdom during the last year. On the other hand, he stood forward to maintain, that whenever a measure, such as the subject of their present consideration, became necessary, ministers should either obtain the previous consent of Parliament to it; or, when it clearly arose from circumstances that were unavoidable, they ought to apply for a bill of indemnity. The House ought to come to an immediate determination upon so important a subject. In his opinion it was a question of the first

magnitude to the constitution of England, and important to the very principle of freedom itself; for of what avail was it to us, to say or think we were free, if the King had power to introduce among us any number of foreign troops that he might think fit, to overawe and subdue his subjects at his pleasure? He did not mean to insinuate, much less to assert, that his Majesty had any such intention; but the act was in itself alarming, and ought to rouse the constitutional jealousy of that House. Gentlemen might decide upon it as they thought proper: He was on his part persuaded, that in the country the vote of that night would be taken as a test of the real sentiments of the House of Commons. He begged leave therefore most seriously to remind Gentlemen, that, while they daily expressed their alarms at popular encroachments on his Majesty's prerogatives, or a disposition in some to disobedience to lawful authority, it would highly become them not to sit silent, and neglect the rights and privileges of the people. Indeed it appeared to him to be the most melancholy part of the character of the times, that while those in authority were punishing with unrelenting rigour and severity many poor ignorant individuals for a few offences, and some of them possibly misled by men who are now in his Majesty's cabinet, they were neglecting the most important interests of the people of this country by unnecessarily extending the royal prerogative, and treating with contempt all arguments in favour of popular rights; this he conceived to be treason against the constitution of the country. We might as well declare at once, "that the Revolution, in which some weak men might have gloried, was nothing more than a successful rebellion; that the present family, who happily for the people filled the throne of these kingdoms, are usurpers—that passive obedience and non-resistance are the best doctrines—that opposition to sovereign power, at any time, and under any circumstances, is an opposition to the ordinance of God—that the actions of tyrants are not to be examined by the people, for that sovereigns are God's vicegerents upon earth, and accountable only to God for their actions—that under any oppression whatever, resistance is a crime, and implicit obedience is a duty of the subject." These were doctrines which it would be candid to avow at once, if the rights of the people were to be altogether neglected, and no attempt was ever to be made to check any increasing prerogative of the crown; and if we were to proceed in punishing every miserable man without mercy, for endeavouring to call the attention of the public to any popular neglected rights, under the pretence of avoiding the anarchy and confusion of France. There was no man in the country, who abhorred more than he did the scenes of violence, disorder, murder, and desolation, now acting in France.

He detested their present government: He thought it what it had been lately called by his Right Hon. Friend (Mr. Fox), a furious and rigid tyranny.—Furious and rigid it certainly was, and the last form of government under which he would wish to live: And were he obliged to make his option between the two, he had no scruple to declare that he had rather live under Caligula or Nero, than under the present government of France. Against such a system the last drop of blood he had he would consent to shed; but he would make no less exertion against encroachments upon the rights of the people by extensions of the royal prerogative. He hoped we were not in so desperate a situation, that to avoid one extreme we were necessarily to be driven into its opposite; for our constitution admitted of neither. He was sure his Majesty had no bad intention in the exercise of his power, but it was the duty of that House to watch over the prerogative which his ministers might advise him to make use of; and he was sure also that his Majesty would not think Parliament shewed any distrust in him by following the steps of the constitutional Parliament in the time of King William. "*Atque ego hoc non in M. Tullio, neque his temporibus verer. Sed in magna civitate, multa et varia ingenia sunt. Potest alio tempore, alio consule, cui item exercitus in manus sit, falsum aliquid pro vero credi. Ubi hoc exemplo, per senatus decretum, Consul gladium eduxerit; quis illi finem statuet, aut quis moderabitur?*" Mr. Grey concluded with moving, "That to employ foreigners in any situation of military trust, or to bring foreign troops into this kingdom, without the consent of Parliament first had and obtained, is contrary to law."

Mr. Peruis opposed the motion, and assigned the reasons which led him to do so, notwithstanding that he had on a former occasion contended against the principle of the crown having a right to introduce foreign troops into the kingdom without the consent of Parliament. It was true that he had several times expressed a desire that the House should be watchful over the minister and the prerogatives of the crown: This he allowed to be one part of the duty of a member of that House; but he must contend that it was not the only duty of a member of Parliament. That duty was to be regulated by circumstances. He knew that they ought to be on their guard against the *visus instantis tyranni*; but at present *civium ardor prava jubentium* was more to be dreaded; and he confessed that at the present moment half a dozen persons with red caps or bonnets on their heads, arraying themselves in order of battle, would alarm him more than crowns and sceptres, or all the *regalia* of monarchy. The greater part of the arguments of the Hon. Gentleman who brought this subject forward, appeared to him



Mr. Whitbread said, that notwithstanding the arguments that had been urged by the Hon. Gentleman who spoke last, it would be difficult, from a minute attention to his speech, to reconcile the vote which he had said he would give, with his votes and speeches on former occasions; he must be wrong in the present instance, or have been wrong in the others. One thing, however, he could not pass unnoticed, and that was, the mode of insinuation against characters, which was continually resorted to of late in the most unwarrantable manner. He held it to be equally unfair and unmanly to endeavour by any insinuation to injure characters, against whom no charge of any sort lay, or was even attempted to be stated by those who made such insinuations. If the Hon. Gentleman knew any thing that could justify his insinuations, he called upon him to speak out. Mr. Whitbread supported the motion upon grounds of expediency, and the illegality of having or maintaining in Great Britain foreign troops without the consent of Parliament. From the debates and decision of that House in 1775, on a similar motion, the illegality was clear; and he believed the Hon. Gentleman, with many others, joined in that opinion, as the general sense of the House. What had happened since, that ought to alter that opinion, or what danger might be dreaded from the introduction of red bonnets into this country, that could tend to render that legal in 1794, which was declared not to be so in 1774, he knew not; and he would ask if ever there would be a more proper or favourable time to watch with the greatest caution every extension of prerogative, than when the artful deceit and misrepresentation of ministers held forth an idea, that much was to be feared from the democracy of the times, and if it were not checked, tyranny of the worst kind would soon overwhelm us. He thought very differently, and dreaded the extension of the prerogative of the Crown more than any probability of popular tumult. The illegality of employing foreign troops within the kingdom, was established by every precedent that had been quoted: It took its source from the Revolution. The refusal to allow King William Dutch guards, was a precedent, and the Bill of Rights stated clearly that no foreigner, nor any other than a natural-born subject of this country, could hold any civil or military employment of emolument under Government, within the kingdom. The present question however was too strong and important to require the aid of precedent, because when Gentlemen entirely gave way to the arguments of precedent, it would be easy enough for ministers to find precedent, at some period or other, for any thing they might wish to carry through: Indeed, he believed there was nothing, however bad, without a precedent.

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